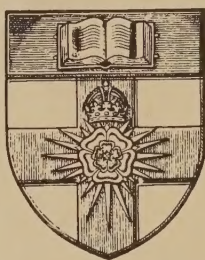
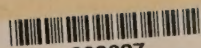


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ACCOUNTS AND PAPERS:

FIFTY VOLUMES.

— (10.) —

COLONIES AND BRITISH POSSESSIONS—*continued.*

SESSION 1.—5 *February* 1895—6 *July* 1895.

SESSION 2.—12 *August* 1895—5 *September* 1895.

VOL. LXX.

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1895.

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SOUTH AUSTRALIA.

CORRESPONDENCE

ON THE

**QUESTION OF REDUCING THE SALARY AND
EMOLUMENTS OF FUTURE GOVERNORS OF SOUTH
AUSTRALIA.**

**Presented to both Houses of Parliament by Command of Her Majesty.
September 1895.**



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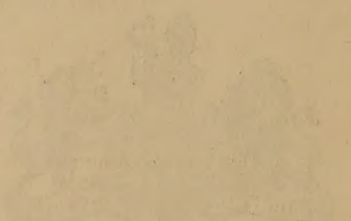


CONSTITUTIONAL

QUESTIONS OF REDUCING THE SALARY AND
EMOLUMENTS OF THE GOVERNORS OF SOUTH

AUSTRALIA

BY THE HON. JAMES H. MONAGHAN, M.P.
FOR THE DISTRICT OF PORT PHILLIP.



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20	To Lieutenant - Governor Way.	June 28	Expresses hope that, on reconsideration of the question, his Ministers may see their way to remove the restriction of the Governor's privilege of sending, at the public cost, telegrams on the Government service.	26
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1895.		
25	To Sir T. Fowell Buxton, Bart.	Aug. 31	Forwards copies of Nos. 22 and 24, together with newspaper extracts, and expresses the opinion that, under the circumstances, he would be amply justified in asking to be allowed to resign the appointment, if he so desires.	32
26	Sir T. Fowell Buxton -	Sept. 2	States, in reply to No. 25, that, as at present advised, he does not feel it right to resign the duties conferred by Her Majesty's Commission, although should the interest of the public service require, he is quite willing to take that course.	33
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SOUTH AUSTRALIA.

CORRESPONDENCE

ON THE

QUESTION OF REDUCING THE SALARY AND EMOLUMENTS

OF

FUTURE GOVERNORS OF SOUTH AUSTRALIA.

No. 1.

AGENT-GENERAL FOR SOUTH AUSTRALIA to COLONIAL OFFICE.
(Received July 25, 1893.)

Office of Agent-General for South Australia,
Victoria Chambers, 15, Victoria Street,
Westminster, London, S.W.,

July 24, 1893.

SIR,

I HAVE the honour to transmit copy of a telegram from the Government of South Australia, asking that the temporary prolongation of the office of Lieutenant-Governor might be granted after the departure of the Earl of Kintore, and requesting me to see the Right Honourable the Secretary of State for the Colonies as to the wishes of the Government.

May I request that you will be so good as to move the Marquess of Ripon not to take any action until the arrival of the Despatch mentioned in the telegram, when I will call upon his Lordship on the subject.

I have, &c.

J. C. BRAY,
Agent-General.

Enclosure in No. 1.

COPY of TELEGRAM received by the AGENT-GENERAL FOR SOUTH AUSTRALIA from the Honourable the TREASURER.

(Dated and received July 19, 1893.)

Please assist for a temporary prolongation of Lieutenant-Governor of South Australia after the departure of the Governor of South Australia. Government House, Adelaide, is not ready, and economy desirable. Despatch in transit to the Right Honourable the Secretary of State for the Colonies; copy forwarded.

PLAYFORD.

No. 2.

The EARL OF KINTORE to the MARQUESS OF RIPON.
(Received August 28, 1893.)

[Answered by No. 4.]

MY LORD,

Adelaide, July 20, 1893.

I HAVE the honour to forward to your Lordship herewith a memorandum in original which Ministers have addressed to me on the subject of the appointment of my successor.

Your Lordship will remember that on the 4th July I telegraphed* the request of my Government for the postponement of that appointment pending the receipt of this memorandum, in which are set forth the particulars of their request, and in now transmitting it I beg your Lordship's consideration of the points raised therein.

I have, &c.

KINTORE.

Enclosure in No. 2.

MEMORANDUM for his Excellency the GOVERNOR.

Chief Secretary's Office, Adelaide,

July 11, 1893.

Ministers respectfully request that his Excellency will communicate with the Right Honourable the Secretary of State for the Colonies respectfully desiring that the appointment of a successor to his Excellency may be temporarily postponed.

This request proceeds from a variety of reasons of which the chief are considerations of convenience and economy. The Vice-Regal residence is in need of repairs which cannot well be attended to during its occupation by a Governor. Furthermore, Ministers have under consideration the permanent reduction of the Vice-Regal salary. This will be recognised as a matter which should be decided before any fresh appointment is made.

Ministers have the greater confidence in submitting their request as on his Excellency's departure the Vice-Regal duties will devolve on the Lieutenant-Governor (himself selected by the Imperial authorities), who on numerous previous occasions has acted as Governor in a manner which, Ministers venture to believe, has left nothing to be desired.

Ministers are sanguine also that, if the prolongation which they seek of the Lieutenant-Governor's active occupation of the Vice-Regal office be granted, they will be able to make arrangements in connection with the Vice-Regal and Judicial Departments which will be a public convenience and may not improbably obviate the necessity of any permanent reduction of the Vice-Regal remuneration.

Financial depression is general throughout Australia, and, though affecting South Australia less than some other Colonies, Ministers in their determination to adjust the finances can neglect no reasonable opportunity for economy, and they therefore confidently anticipate hearty approval of the course suggested.

In conclusion Ministers desire to place on record an expression of the sincere regret with which they will part with his Excellency on the expiration of his term of office.

C. C. KINGSTON,

Premier.

No. 3.

The EARL OF KINTORE to the MARQUESS OF RIPON.

(Received September 4, 1893.)

MY LORD,

Adelaide, August 1, 1893.

I HAVE the honour to forward, and to beg your Lordship's consideration of, a memorandum, dated this day, which I have received from Mr. Kingston, the Premier, transmitting at the same time a copy of the "Bill for an Act relating to Public Salaries," to the provisions of which Ministers desire to call your Lordship's attention.

Clause 6 of the Bill is attracting considerable attention, and will no doubt receive adequate discussion. I understand Ministers' wish in the matter to be that no public salary shall hereafter be payable in excess of 1,000*l.* per annum, except to officers named in the schedule, and further that should at any time a larger payment to any officer be deemed advisable such payment is to be authorised by special Act.

Clause 7 restricts the annual salary payable to future Governors of South Australia to the sum of 4,000*l.*

I have, &c.

KINTORE.

Enclosure in No. 3.

MEMORANDUM for his Excellency the GOVERNOR.

Chief Secretary's Office, Adelaide,
August 1, 1893.

Ministers respectfully desire that his Excellency will further communicate with the Right Honourable the Secretary of State for the Colonies informing him that Ministers have felt it their duty to propose to Parliament to repeal the Governor's Salary Increase Act, 1866, whereby the Vice-Regal salary was increased from 4,000*l.* to 5,000*l.* per annum.

This proposal forms portion of a general scheme of economy in relation to public salaries which is embodied in a Bill which Ministers have introduced in the House of Assembly and copy of which they have the honour to forward herewith.

A perusal of this measure will probably confirm the Right Honourable the Secretary of State for the Colonies in the conclusion which he has no doubt drawn from the previous correspondence that Ministers are earnestly addressing themselves to the task of adjusting the public expenditure with the provincial revenue.

When last communicating with your Excellency on the subject, Ministers hoped that they would have been able to avoid the necessity of proposing a permanent reduction in the Vice-Regal remuneration, but further consideration satisfies them that this is not possible and induces them also to attach increased importance to the economies which will result from the granting of their request for a temporary postponement of the appointment of a successor to his Excellency.

C. C. KINGSTON,
Premier.

1893.

No. 14.

A BILL for an Act relating to Public Salaries.

BE it enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows :

1. This Act may be cited as "The Public Salaries Act, 1893." Preamble.

2. For the period of the financial year ending the thirtieth day of June, one thousand eight hundred and ninety-four, no public salary shall be increased to a rate exceeding One Hundred and Fifty Pounds per annum, and every public salary exceeding the rate of One Hundred and Fifty Pounds per annum shall be reduced according to the following rates :— Short title.

(a.) Five Pounds for every One Hundred Pounds over One Hundred and Fifty Pounds and not exceeding Three Hundred Pounds. Reductions.

(b.) Seven Pounds Ten Shillings for every One Hundred Pounds over Three Hundred Pounds and not exceeding Six Hundred Pounds.

(c.) Ten Pounds for every One Hundred Pounds over Six Hundred Pounds.

3. The expression "public salary" used in this Act includes all salaries, wages, and allowances (except travelling allowances and allowances for servants) payable out of revenue or loan or any public funds to any person, except the officers mentioned in the schedule hereto. Interpretation.

4. When any allowance is not a fixed sum, the amount thereof, for the purposes of this Act, shall be computed and certified by the Commissioners of Audit. Computation of allowances.

5. Every public salary becoming due after the first day of July, one thousand eight hundred and ninety-four, shall be paid at the rate which would have been payable if no increase thereof had been prohibited by section 2. Salary after July 1st, 1894.

6. No public salary in excess of One Thousand Pounds per annum shall hereafter be payable, except to a person already in receipt thereof or being an officer mentioned in the schedule hereto, and, except as aforesaid, no such salary shall be included in any estimates of expenditure. Limitation of salaries.

7. The "Governor's Salary Act, 1866," is hereby repealed, but this repeal shall not operate until the expiration of the present term of office of the present Governor. Repeal of "Governor's Salary Act, 1866."

THE SCHEDULE.

The Governor.
 The Judges of the Supreme Court.
 The Judge of the Northern Territory.
 The Agent-General for South Australia.

No. 4.

The MARQUESS OF RIPON to the EARL OF KINTORE.

[*Answered by No. 10.*]

MY LORD,

Downing Street, September 25, 1893.

I HAVE the honour to acknowledge the receipt of your Despatch of the 20th of July,* enclosing a memorandum from your Lordship's Government respecting the appointment of your successor.

Your Government desired that this appointment might, on financial grounds, be temporarily postponed, and they addressed you on the subject, in the belief, which you also shared, that your connexion with the Colony would necessarily terminate next year. As, however, you will now retain your office for the full term of six years, the situation which they had in view does not arise.

In these circumstances, I have only to observe that, while having the fullest confidence in the ability and integrity of the Lieutenant-Governor, Chief-Justice Way, the proposal made by your Government would, if renewed at any future time, involve considerations upon which I must be understood to reserve my opinion.

I have, &c.
 RIPON.

No. 5.

The EARL OF KINTORE to the MARQUESS OF RIPON.

(Received October 17, 1893.)

[*Answered by No. 7.*]

(EXTRACT.)

Adelaide, September 12, 1893.

AFTER the last meeting of Executive Council, the Premier came into my private room and asked me to allow him to discuss with me, in a purely unofficial manner, the question of whether I should draw half salary during the period I shall be absent on leave. He said that, as all his proposals with reference to an indefinite interregnum after my final departure were based on the ground of economy, it worried him not to be able to point to any saving in the Vice-Regal pay and allowances till 1895, and invited me to relinquish all pay during my absence.

In reply, I said I would give careful consideration to the matter, and that I would forward an answer in writing. Mr. Kingston took his leave, adding that if my answer were "Yes" it would be very satisfactory.

I have felt it my duty to decline the Premier's suggestion, and I have done so in a letter, dated yesterday, of which I have the honour to forward a copy. I trust your Lordship will approve its terms.

* No. 2.

Enclosure in No. 5.

MY DEAR PREMIER,

Adelaide, September 11, 1893.

As I promised, I have given careful thought to the suggestion you made to me after the meeting of Executive Council last Wednesday that it would be convenient to you if I gave up the half salary to which I am entitled during my approaching absence from the Colony on leave.

Let me preface what I have to say by thanking you for the courteous manner in which you communicated your wish, and by placing on record my unqualified acceptance of your disclaimer of being actuated by any unfriendly feeling to myself. It did not surprise me to be unmistakeably assured that the proposal was due to no personal motives, and was occasioned only by the state of the public finances and the difficulty of making the revenue meet the expenditure. You and your colleagues expected to save half the Governor's salary in the interval between my leaving the Colony and the appointment of my successor, and are desirous to economize to the same amount in the way suggested, now it has been decided that I am to continue to hold office until 1895.

I have fully shared the anxiety of Ministers with respect to the financial crisis through which the Colony has been passing. It has been mentioned in Parliament, and is the fact, that, when a temporary reduction of official salaries was proposed in view of the present emergency, feeling desirous of submitting, in common with the members of the Civil Service, to the same rateable reduction as was to be imposed upon them, I consulted Sir John Downer (then Premier) as to the propriety of my doing so. His advice, however, was that I ought not to propose, and the local Government ought not to accept, any variation of my salary. This advice you were good enough to confirm after your accession to office, and I saw that it was my duty to follow it.

On grounds of public policy the rule has been firmly established that the salary of a Governor shall not be diminished during his tenure of office. If it were otherwise, a Governor so unfortunate as to incur temporary unpopularity by the conscientious discharge of his duties might be subjected to pressure upon this question which would make his position intolerable and seriously diminish his usefulness. The fact that the measure which you have submitted to Parliament for the reduction of the Governor's salary and allowances has been carefully safeguarded from applying until my successor is appointed warrants me in thinking that this is also the view of the Government.

After careful reflection, I can see that the present proposal is open to precisely the same objections as attached to my own idea of myself submitting to a reduction in the Governor's salary during the present emergency. It is a well settled rule in the Colonial Service that during a Governor's absence from the Colony the local revenue shall not be subjected to any additional burthen in consequence. Throughout all the Colonies of the Empire (and the rule has, I believe, existed for more than a hundred years) the salary of a Governor during his absence on leave is divided between himself and the officer who fills his place. So stringent is the rule that any private arrangement is forbidden under which the Governor would receive during his absence more than half salary. The same objection would, of course, apply to any similar arrangement for the reduction of his allowance. However anxious, therefore, I might otherwise be to fall in with any suggestion of this kind emanating from my constitutional advisers, and however praiseworthy their motives for such a suggestion, I am, as a servant of the Queen, bound to conform myself to the regulations under which I was appointed. I have no right to set up my own inclinations against the rules of the service, or to make a precedent which would cast a reflection upon other Governors who have taken the benefit of these rules with respect to half salary whilst absent from their Governments, and which would subject them also in future to persuasion to relinquish advantages which were taken into account when accepting office. Uncertainty of this kind would also seriously limit the range of choice amongst those eligible for the governorship of these great Colonies. I trust, therefore, that, upon the ground of my duty to submit myself to the rules of the service, you will recognise that there can be but one answer to the question we are discussing.

If I may refer, however reluctantly, to personal considerations, the justice of the rule is accentuated. Within the last few years (most of the cases have happened since I have been here) the Governors of all the Australian Colonies except New South Wales have had leave of absence to proceed to England without any objections being raised to the regulations. It would be somewhat invidious that I should be selected as an exception to the rule, especially when it is borne in mind that leave of absence has become necessary in my case not for my own convenience but because I have felt

bound to comply with the request of the Secretary of State for the Colonies to continue to hold my office of Governor for the full term of six years under the regulations, instead of relinquishing it, as until recently I understood I must do, at the end of the present year or soon afterwards.

There is still one other matter which I am even more reluctant to mention. Whilst I have been in South Australia I have spent in the Colony, in the endeavour to maintain the dignity and proper influence of the Governor's office, never less than 2,000*l.* a year more than the salary and allowances attached to it. I do not complain of this; on the contrary, I am glad to have been able to meet the necessary expenditure for the requirements of a place in which the scale of living and the expansion of society have been far in advance of the state of things 20 years ago, when the Governor's salary was fixed. The people of South Australia could not regard it as handsome treatment if, after an expenditure so much in excess of my official income, I were deprived of the usual allowance to Governors on leave during my temporary absence. Probably the feeling would not be diminished if it were remembered that, as I am returning to the Colony and must arrange for the re-equipment of my establishment in May next, I shall, whilst I am away, still be expending money in the Colony.

Bearing all these matters in mind, you will, I hope, perceive that there are good reasons for refraining to ask that I should relinquish the half salary payable to me during the six months I shall be away.

The Hon. the Premier.

Believe me, &c.

KINTORE.

No. 6.

The EARL OF KINTORE to the MARQUESS OF RIPON.
(Received October 23, 1893.)

[*Answered by No. 8.*]

MY LORD,

Adelaide, September 19, 1893.

IN continuation of my Despatch of the 12th September,* I have now to inform your Lordship that I yesterday received a memorandum from the Premier, inviting me to offer suggestions as to how early economies can be effected in the Vice-Regal remuneration, in view of my approaching departure on leave of absence.

I have the honour to forward herewith a copy both of Mr. Kingston's minute and of my reply thereto. I trust that the language I have held will meet with your Lordship's approval.

I have, &c.

KINTORE.

Enclosure 1 in No. 6.

MEMORANDUM for his Excellency the GOVERNOR.

Chief Secretary's Office, Adelaide,
September 18, 1893.

Ministers respectfully desire to acknowledge the receipt of his Excellency's minute of the 2nd instant, conveying an intimation of his Excellency's intention to continue to hold office as Governor of the Province for the full term of six years, with leave of absence from November next till May.

Ministers do not hesitate to assure his Excellency that he is abundantly justified in anticipating a continuance of the excellent relations which have always existed between his Excellency and his advisers and the people of South Australia, and to which his Excellency has been pleased to refer.

They need only add that it is with some regret that they note the necessity for his Excellency's temporary absence from the Province. They feel, however, that this absence will perhaps facilitate economies with reference to the Vice-Regal remuneration which, as already represented to his Excellency and to the Right Honourable the Secretary of State for the Colonies, would be a public convenience.

C. C. KINGSTON.

Enclosure 2 in No. 6.

MEMORANDUM for the Honourable the PREMIER.

The Governor desires to acknowledge the receipt of the minute from Ministers dated the 18th September, and to express his gratification at the assurance it contains that he is abundantly justified in anticipating a continuance of the excellent relations which have always existed between himself, his advisers, and the people of South Australia, as also that Ministers regret the necessity for his temporary absence from the Province.

Ministers in their minute suggest that the Governor's absence may facilitate economies with reference to the Vice-Regal remuneration which, as they had already represented, would be a public convenience. Anxious whenever possible to fall in with Ministers' views, the Governor has given his best consideration to the situation as varied by his change of plans.

The simplest economy which could suggest itself would probably be that the Governor should relinquish the half pay to which he is entitled under the Colonial regulations during his absence; but there are reasons of public policy, as well as loyalty to the service, which prevent him from entertaining this idea.

It has, however, occurred to the Governor in his anxiety to assist Ministers that he may be of service to them in reducing the expense to the State of his establishment after the close of the present financial year.

On the understanding that the estimates for the current year under the heading "Private Secretary.—Salaries," are made available as printed, the Governor is prepared from the commencement of the next financial year (July 1894), himself to undertake the payment of the salaries of the Private Secretary, the provincial Aide-de-Camp, the messenger, and orderlies; thus so far anticipating the policy of the Public Salaries Bill as originally introduced.

October 4, 1893.

KINTORE.

No. 7.

The MARQUESS OF RIPON to the EARL OF KINTORE.

MY LORD,

Downing Street, October 28, 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 12th ult.,* and to convey to you my approval of the terms of the letter which you addressed to the Premier of South Australia in connexion with the question of the proposed relinquishment by you of your right to draw half salary during your leave of absence.

I have, &c.
RIPON.

No. 8.

The MARQUESS OF RIPON to the EARL OF KINTORE.

MY LORD,

Downing Street, October 28, 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 19th ult.,† in continuation of that which you addressed to me on the 12th ult., respecting the economies proposed by the Premier to be effected in consequence of your departure on leave of absence.

I approve the terms of the reply which you returned to the Premier's memorandum.

I have, &c.
RIPON.

* No. 5.

† No. 6.

No. 9.

The EARL OF KINTORE to the MARQUESS OF RIPON.
(Received November 21, 1893.)

MY LORD,

Adelaide, October 12, 1893.

IN the House of Assembly yesterday, the Honourable the Premier resumed the debate on the motion "that in the event of his Honour the Chief Justice at any time discharging the duties of Governor of this Province he receive no increase of remuneration," in a speech of an hour's length.

I have the honour to forward a report of it as published by the "Advertiser," together with a summary of the proceedings published in the same newspaper this morning, and wish to draw your Lordship's attention to Mr. Kingston's concluding passages.

I have, &c.

KINTORE.

Enclosure 1 in No. 9.

"ADVERTISER," Adelaide, Thursday, October 12, 1893.

The CHIEF JUSTICE and the GOVERNORSHIP.

Adjourned debate on the motion of Mr. Grainger.—"That in the event of his Honour the Chief Justice at any time discharging the duties of Governor of this Province he receive no increase of remuneration."

The Attorney-General, in resuming the debate on this question, said he had imagined that both Mr. Grainger and Mr. Homburg were absent from the House, and therefore as they had taken so prominent a part in the matter he had proposed to move the adjournment of the debate. As, however, he now found that Mr. Grainger was present he desired to say something on the matter. There seemed to him to be a good deal of misconception in connexion with the resolution that had been moved by Mr. Grainger. He had listened to that hon. member pretty carefully, and he had since had the opportunity of perusing his speech, and he confessed that he found some difficulty in ascertaining the exact amount of applicability that the speech had to the resolution. The resolution proposed simply that in the event of his Honour the Chief Justice at any time actively discharging the duties of Governor of the Province he should receive no increase of remuneration, notwithstanding the additional expenses which must undoubtedly be incurred. He would have something to say as to the monstrosity of that simple proposition, but Mr. Grainger in his speech had opened up a much larger question, had raised far greater issues than the simple matter as to whether the Vice-Regal expenses should be paid by him or the State. He had endeavoured to challenge the propriety of the appointment of the Chief Justice as Lieutenant-Governor, and he had done so in no measured terms. He thought that the fact was that the rhetoric of the hon. member had carried him away, and that he was so captivated by the strength of expression which he employed as to say much that was utterly unwarranted and had little to do with the subject under discussion. He said—"The proposal appeared to him as opposed to every principle of equal freedom such as they enjoyed at present, and opposed to every principle of equal justice to both rich and poor, and to every principle of proper economy. It appeared to him to be a surrender of the liberties which they at present enjoyed, and a sacrifice of that trust which they had hitherto reposed in the Judges of the Supreme Court of being above suspicion. There was nothing so easily destroyed and with such difficulty restored as trust in the honour, integrity, and impartiality of the Judges of the Supreme Court." The proposed action, according to Mr. Grainger, was to have the effect of destroying that confidence in the honour, integrity, and impartiality of the Judges of the Supreme Court. But he went further. Mr. Grainger also said—"It would lay every Judge of the Supreme Court open to the suspicion, if there was a possibility of his appointment to the position of Governor, of trying to bring influence on politicians and work in an underhand way to get a lift up in the social scale, and it would never do to have our impartial Judges open to such a suspicion." This was simple nonsense, and a ridiculous reflection on the Judges. He certainly thought that both Mr. Grainger and Mr. Homburg had said things which they must afterwards have regretted and which certainly ought not to have been said. The remarks as to the Chief Justice as Lieutenant-Governor

were, as his colleagues remarked, based on fiction. His Honor the Chief Justice was appointed Lieutenant-Governor by Letters Patent on January 9, 1891, from Her Majesty the Queen and the Secretary of State for the Colonies. (Mr. Grainger.—“Recommended by the Governor.”) They had information that he was recommended by the Governor. The Government had nothing whatever to do with it. Neither that Government nor the preceding one had anything to do with the matter. The reasons for the proposed action of the Government with respect to the Chief Justice were as follow:—The time was a time of financial stress, and he regretted to say that it was a time of stress still. The Government had information that at a certain date the term of office of the present Governor would expire. During the interval that must follow between the cessation of that term and the beginning of the term of office of the new Governor the Lieutenant-Governor would act, and they would have an opportunity for economy, so, with a view to increase economy, they asked for a prolongation of his term. He would have something to say afterwards as to the way in which the Government were met. The action of the Imperial authorities in appointing the Chief Justice as Lieutenant-Governor was in accordance with the usage of 30 years. Ever since the British forces had been withdrawn from Australasia and the commanding officer had ceased to exercise the functions of Lieutenant-Governor it had been the custom to frame the dormant commission whereby the Chief Justice or the senior Judge of the Supreme Court acted in the absence of the Governor. They had, therefore, in this matter the experience of the past, and what did that experience show. Certainly that the course of action had proved to be a wise one. Mr. Grainger in his speech was, therefore, going against the experience of the past 30 years. He would pass over the personal references as to schemes connected with the Governorship of the Colony, for he did not think that the hon. member was serious in that. He did, however, protest against the references which had been made to the Chief Justice. He might have spoken as one who had spent the happiest years of his life with the Chief Justice, to whom he owed that professional education which had enabled him to command whatever little success he might have gained. Still it was his duty to regard the matter altogether apart from a consideration of that sort. He did take exception, however, to the remarks which had been made; and he contended that in every capacity his Honour the Chief Justice had always acted in a manner becoming the high position he had attained by his great abilities, and Mr. Homburg's references as to his Honour courting popularity were altogether unjustifiable. How were all these evils which Mr. Grainger referred to to be brought about? In what way was the purity of the bench to be sullied? How came it that, after we had had practical experience for 30 years of the working of that which was proposed to be continued, no illustration could be quoted of the dangers, evils, and mischiefs to which reference had been made? Whenever the Governor had been absent from the Province and his duties had devolved upon the Chief Justice or the senior Judge, those duties had been most admirably discharged. What had been our experience had been the experience of the other Colonies. His Honour the Chief Justice had discharged the duties of the Vice-Regal office on five occasions, some of them of a prolonged character. Mr. Justice Boucaut had acted similarly also, and Mr. Justice Bunday once; and whether it was by virtue of the dormant commission, whether it was by the commission as Deputy-Governor, or whether by virtue of the Royal Commission as Lieutenant-Governor, the same principle was involved, and the same duties and responsibilities were thrown upon the occupant of the office. Although he was speaking without book, he thought the duties of the office were discharged by Sir Charles Cooper, while Sir Richard Hanson, whose name was always to be mentioned with respect, for a considerable time fulfilled the duties of Chief Justice and Acting Governor in a way which left nothing to be desired. What had been the case in South Australia had been the case in the other Colonies. As regards Victoria, Sir Redmond Barry and Sir John Madden discharged the duties for considerable periods; in New South Wales Sir Frederick Darley, Sir Alfred Stephen (although he was not sure whether he acted in the dual capacity of Chief Justice and Lieutenant-Governor); in West Australia Sir Henry Wrenfordsley and Chief Justice Onslow; in New Zealand Sir James Prendergast; and in Tasmania Sir Valentine Flemming, Sir Francis Smith, Mr. Justice Giblin, and Sir Lambert Dobson had all held the position of Acting Governor of their respective Colonies. That was the rule that obtained generally throughout the Empire, and were they to be told that there was something with regard to our Judges which unfitted them for the discharge of duties which were satisfactorily exercised in other parts of the Empire under similar circumstances? (Mr. Grainger.—“It is not on all fours.”) How did the hon. member differentiate between our position and the position of the Colonies to which he had alluded? (Mr. Grainger.—“Your proposal is not on all fours.”) He was dealing with the resolution for which Mr. Grainger was responsible; and, with regard to the proposals of the Government, when they were tabled, the Government would be

prepared to explain, discuss, and defend them in the fullest sense. At the present moment, however, it was his duty as well as his privilege to defend the Judges of the Supreme Court against a motion which sought to cast upon them the aspersion that they were to be selected from amongst their fellows on the Australasian bench as unfit to discharge duties which were safely discharged by Judges in the other Colonies. (Mr. Grainger.—“Who ever said so?”) That was the effect of the hon. member’s arguments, and if it was not so intended, then much of the fiery eloquence he imparted into his remarks was misplaced. The hon. member put it that the evils he had described were likely to arise by the active occupation by the Chief Justice of the Vice-Regal office. (Mr. Grainger.—“For a long period.”) He argued that it would be a fair and reasonable thing for a couple of months, but that it would be hateful and baneful if exercised for a longer time. (Mr. Grainger.—“Two years.”) They knew the position to-day, and the principle was either a good or a bad one, and it did not depend upon the length of time or the frequency of the occasions on which the Chief Justice was called upon to exercise the duties of the Vice-Regal office. If these evils were likely to arise, he should not be allowed to occupy the position for a day, and if they were not it was a pity suggestions were made of the character in which Mr. Grainger had indulged. Mr. Homburg had attempted to defend the resolution on certain constitutional grounds, and put it that it was highly undesirable to mix up the executive with the judiciary. At the same time he was constrained to admit that the practice to which he referred had obtained for a series of years without inconvenience or danger. Mr. Homburg also admitted with regard to some of the appointments for which he was himself partly responsible that there had been a mixture of the character to which he had referred, and no harm had resulted. He referred to the appointment of the Commissioner of Taxes as Commissioner of Insolvency; and further, to the appointment of Mr. Justice Dashwood as Judge of the Northern Territory and also as Government Resident. There were one or two other matters to which Mr. Homburg had not alluded, but to which he intended to refer. Here he would say that it was excusable that Mr. Grainger should show a lack of knowledge of legal literature, but it was less excusable on the part of Mr. Homburg. At the present moment the Governor, by virtue of his office, occupied the position of president of the highest court of the land—Court of Appeal—under the Act of 1855–6, confirmed in 1861, and which was still law of the land. (Mr. Grainger.—“How many times had that court sat in the last 30 years?”) He could not say, but what became of the principle? (Mr. Grainger.—“How is the court composed?”) Of the executive of the day with the Governor as president, exclusive of the Attorney-General. What then became of all the talk that hon. members had indulged in as to the inexpediency of mixing the executive and the judiciary? He listened with some degree of astonishment to Mr. Homburg when he was dilating upon the inexpediency of the offices of Lieutenant-Governor and Chief Justice being held by one and the same person. The reason for astonishment was because he was strongly of opinion that the Government of which Mr. Homburg was no insignificant member, in discussing this question, took the position that if there was to be a Lieutenant-Governor it should be the Chief Justice of the Supreme Court while he was in that position and no longer. What then under the circumstances, became of the argument put forward by Mr. Homburg that it was inexpedient to amalgamate the two offices? He would be sorry to make any reflection upon an hon. member whom he respected as an old colleague and numbered amongst his personal friends, but at the same time there was a degree of friction—he did not care who was responsible for it, but he was sorry that it existed—which sometimes warped the judgment of Mr. Homburg when considering matters concerning the Supreme Court. In the remarks he gave utterance to he did himself scant justice. He had taken care to fortify his impression with regard to the action of the Government of which Mr. Homburg was a member, and he was able to quote from their minute on the subject of the appointment of the Chief Justice as Lieutenant Governor, which stated:—“In forwarding this memorandum, Ministers respectfully intimate that in the event of such an appointment being necessary they would have no objection to the appointment of his Honour the Chief Justice (who has ably and honourably administered the government on several occasions) as Lieutenant-Governor, so long as he holds the office of Chief Justice, but they are of opinion that it was both unnecessary and undesirable to appoint a Lieutenant-Governor for life, and that the dormant commission in favour of the Chief Justice which has been in force for many years should have been allowed to continue in operation until Ministers here had been consulted.” (Mr. McPherson.—“He was only one of the Ministry;” and Mr. Grainger.—“Who were his colleagues?”) It was during the second Playford administration. (Mr. Grainger.—“I suppose the Premier approved of it then.”) And he approved of it to-day. Mr. Homburg’s views were

now diametrically opposed to the views thus expressed of the Ministry of which he was then a member. Both Mr. Grainger and Mr. Homburg were under a misconception of the terms of the commission by which the Chief Justice was appointed Lieutenant-Governor, which declared that the office was to be held during the Queen's pleasure, and that position was emphasised in the correspondence which ensued. (Mr. Grainger.—“If the Queen dies he loses it, then?”) That brought up a matter which he did not think was dealt with by legislation in this Colony, and which might well form the subject of legislation.

The misconception to which he had referred would be removed by a perusal of the document itself, which declared that the office was to be held only during pleasure. In answering Mr. Grainger he had pointed to our past experience to show that the practice that that hon. member endeavoured to condemn had suited us, and had been without the slightest disadvantage. He had dealt with the arguments of Mr. Homburg, and pointed out a variety of instances in which the judicature and executive were amalgamated with advantage, and he demonstrated beyond the possibility of contradiction that the position taken by Mr. Homburg was absolutely opposed to that which his (Mr. Homburg's) Government took not so long ago. There must in the natural order of things be an interval between the appointment of one Governor by the Imperial authorities and his arrival at the seat of office. (Mr. Grainger.—“How long?”) How long the hon. member said? Were they discussing the question of the length of time that a Governor was to enjoy his office? With regard to who was the best person to be appointed, several people and several interests might be considered to be concerned in the appointment: first, the Imperial authorities in the selection of their representative, and then the Colony, over whom, subject to the constitution, the Governor was appointed to rule, but would any hon. member suggest other than the Chief Justice to discharge the duties in the meantime? (Mr. Castine.—“The Premier for the time being.”) Mr. Castine interjected the Premier for the time being. He was, however, endeavouring to discuss the matter with becoming gravity, and he hardly thought that that remark was appropriate to the occasion. He pointed out what the practice of Australia had been, but there were two instances otherwise—one in the case of New South Wales when the President of the Legislative Council was appointed, and the other in the case of Queensland, when a similar course was adopted. Between the two courses which did hon. members prefer? (Mr. Grainger.—“I prefer the President of the Legislative Council.”) The remark he applied to Mr. Castine, he thought, applied also to Mr. Grainger, when he suggested calmly that the question of a dissolution of the House of Assembly should rest with the President of the Legislative Council. (Mr. Grainger.—“He would cease to be a member of the Legislative Council.”) He did not understand what Mr. Grainger wanted, as what he said was utter nonsense. He did not think there was room for difference of opinion as to which was preferable of the two courses, and he thought any suggestion to the contrary would not be tolerated in the country. By the selection of the Chief Justice the Secretary of State had decided the matter, and it appeared to him that he decided wisely. He was not one in the least degree to contend for a limitation of their powers of expressing their views on Vice-Regal appointments, but, on the contrary, it was with some satisfaction that he could say he was a member of a Ministry that in 1888 put the matter pretty clearly to the Imperial authorities, and he hoped that in such matters any Ministry that might be in power would follow a similar course. The result of the expression of opinion in 1888 they had had an opportunity of judging. He understood that, on the expiration of the term of office of Sir Richard Graves MacDonnell, the name of a Mr. Laurie was suggested as his successor, but representations were made on the subject and the appointment was not made, and no doubt the attitude taken in connexion with the appointment of Sir John Pope Hennessey was fresh in the minds of hon. members, while there was a similar protest against the appointment of the Marquess of Normanby. Queensland also had taken at different times steps to secure the expression of her views on the subject. So the matter stood, and experience showed that what had been done was the best possible course under the circumstances; and yet what was now proposed to be done? For no reason, except for some chimera conjured up in the mind of Mr. Grainger, it was suggested that a gentleman who had previously fulfilled the duties of the office, if he should be again called upon to discharge them, should be deprived of the remuneration he generally enjoyed, but hon. members, he was sure, would not tolerate such a thing. Mr. Grainger said that it depended on the term for which he was going to occupy the position, but discussing the matter that day they knew that it might be a matter of six months in the natural order of things. There had been much longer terms, in which the duties had been satisfactorily discharged by Chief Justices. It seemed to him that no reasonable grounds had been advanced for passing a

resolution of that description, and it would, so it seemed to him, involve something approaching very like a reflection on a gentleman on whom they had no cause to reflect but every reason to respect.

There was another thing he would like to say in connexion with that matter, and he knew it was a subject which he ought to approach with due deliberation, and that was the mode in which their requests had been met by the Imperial authorities. It seemed to him that the treatment which they had received in that connexion was much to be deplored, and left much to be desired. It was a course of action which seemed to him inexplicable and altogether opposed to that which they expected, and which they had a right to expect. The Government put it in the most courteous and respectful terms that the circumstances of the Colony were such that they desired to study economy in every respect. They pointed out that in the natural order of things an opportunity for economy would occur by reason of the departure of his Excellency, and the Government asked that that opportunity might be increased by a prolongation of the term. What answer had they received to that? Practically none, and their convenience had not been studied in the slightest degree; and to that moment they were without a reply to their request, further than the intimation that his Excellency, yielding to the pressure of the Imperial authorities, had consented to extend the term of his office until about March 1895, receiving six months' leave of absence, which he would presently start to enjoy. (Mr. McPherson.—“On full pay?”) He was coming to that. The Colonial Office regulation was that, when a Governor receives leave of absence, under the circumstances now proposed, half the Vice-Regal salary should be received by the Governor and half paid to the gentleman who filled the Vice-Regal office during his absence. What had been the effect of the attitude taken by the Secretary of State for the Colonies? It was this, that not only had the Colony been deprived of the opportunity for economy which in the natural and ordinary course of events they would have enjoyed, had his Excellency not been pressed to act otherwise by the Secretary of State, but the advantage which generally accrued to the Province from the expenditure of the Vice-Regal salary within the Province was to be diminished by at least half. The Government had declared what their intentions were as regards the future appointment of the Governor. They had put it to the Imperial authorities, who were in possession of the Bill, that, as regarded any future Governor, the salary was to be reduced to 4,000*l.*, by repealing the Act which gave the increase of 1,000*l.* to Sir Dominic Daly. The House had also adopted a course which showed that it was inclined to further economise in connexion with the Vice-Regal establishment. Everything they desired had, however, been denied, and the position remained, that, without consultation with, and at inconvenience to, his Excellency and at inconvenience to the Colony, a course had been adopted calculated, and intended, to baulk the wish of the people. He did not desire to attribute motives, but he was inclined to think that in that connexion a false impression had got abroad. He believed that the action which they deplored and condemned had been the result of a mistaken idea as to what the wishes of the Government were. The wish of the Government was to do what they could in every legitimate direction to assist the Colony in her present financial trouble, and they thought then, and they thought now, that they had a right to expect assistance in the highest quarters, which had been denied them under the circumstances he had mentioned. That was the view he took, and he did not hesitate to say that it was the view which the Government felt it their duty to respectfully represent, in the hope that even now something might be done to secure the recognition of their right to assistance even in connexion with the Vice-Regal expenses. It was a matter engaging their most serious attention, and the Government had a right to expect, and he believed they would receive, the sympathy and assistance of the House. What the result might be he did not know, but he was hopeful that the result might be that such a course might be adopted that it might become plain to the community that when any public servants, from the highest to the lowest, were asked to assist in meeting the exigencies of the occasion, opportunities for economy in connexion with the Vice-Regal establishment would not be denied. As to the motion of Mr. Grainger, he thought that, whatever justification that hon. member might have wrongly imagined he had for it when he first introduced it, when the circumstances were different, even he would recognise that there was none for it now. He asked the House to join the Government in saying that the resolution ought not to be passed, and that, whatever their wishes might be, probably shared in by Mr. Grainger, as regarded the necessity for economising in connexion with the Vice-Regal expenditure, the mode in which that hon. member sought to move was not, under the circumstances, justified.

On the motion of Mr. Castine, the debate was adjourned until November 8.

Enclosure 2 in No. 9.

OCTOBER 12, 1893.

PRIVATE MEMBERS' DAY.

THE STORES COMMISSION REPORT.

THE CHIEF JUSTICE AS GOVERNOR.

More Land Legislation.

The preliminary questions were rapidly disposed of in the Assembly on Wednesday, none of them being of very much importance.

The Premier then occupied an hour in the delivery of a powerful speech on the motion of Mr. Grainger, "that in the event of his Honour the Chief Justice at any time discharging the duties of Governor of this Province he receive no increase of remuneration." Mr. Kingston began in the presence of just more than a score of members and a very sparse audience in the gallery, but the attendance grew as he proceeded. He said there was a good deal of misconception on the subject of the resolution, and that it was difficult to recognise the applicability of Mr. Grainger's speech to the motion. He deprecated as a monstrosity the suggestion that, despite the additional expense to which he might be put, the Chief Justice should receive no extra remuneration. The mover, however, he thought, had been captivated by the strength of the expressions which had come to his tongue, and so he had uttered them, although they had nothing to do with the case. Mr. Grainger did not like anything appertaining to Government House, which he considered so pernicious that it was impossible for our most trusted colonist to have anything to do with it without being defiled. Mr. Grainger, according to the Premier, generally kept to the bedrock of solid argument and common sense, but when he mounts the high horse of rhetoric it is never certain where he will stop. Mr. Kingston paid a high tribute to the ability and impartiality of the Judges of the South Australian Supreme Court, who, he affirmed, are respected right through the British Empire. He pointed out that on the subject of an elective Governor, Mr. Homburg, the other critic of the proposed arrangement, parted company with Mr. Grainger. The suggestion that the Government attempted to control the appointment of a Lieutenant-Governor was based on fiction. "What's that?" cried Mr. Grainger, and the reply was, "A perverted imagination. An imagination which gets the better of facts." This definition was challenged, and the House looked interested, while there was a laugh when the member for Wallaroo explained "Oh, I thought he said 'fixings.'" The Premier continued that it was merely proposed that the Chief Justice should act for the term between the departure of Lord Kintore and the appointment of his successor. "As one of the means to relieve the present depression," said Mr. Grainger, and the Premier continued that it had been the practice ever since the departure of the Imperial troops from Australia to select the Chief Justice to act in such cases, and affirmed that past experience was in its favour. Mr. Kingston, though he expressly disclaimed any influence from personal feeling, acknowledged that the happiest years of his life had been spent in the office of the Chief Justice, to whom he was indebted for his professional education, and whose personal friendship he greatly valued. It was unworthy of Mr. Grainger, he thought, to inferentially attack the Judges in praise of whom as lawyers and men he spoke with enthusiastic generosity. How were the evils pictured by Mr. Grainger to be brought about, he asked, and how was the purity of the ermine to be sullied? No such cases could be pointed to during the last 30 years during which the system had been in vogue in all the British Colonies. "The duty is cast upon me and the privilege belongs to me," he declared, "to defend the Judges of the Supreme Court." If it is a good and proper thing, Mr. Kingston urges, for the Chief Justice to act as Governor for two months, it could not be hateful, pernicious, and baneful for him to act longer, as the goodness or badness did not depend upon the length of the term. He could excuse Mr. Grainger, the Attorney-General said, for not knowing much of cases in which judicial and executive functions were combined, but he was surprised that Mr. Homburg had not mentioned that the Governor is ex-officio the President of the Local Court of Appeal, which was constituted in 1855-6 and was confirmed in 1861. "When did it sit last?" asked Mr. Grainger, and the Attorney-General did not know, though he added that this was not material. As a matter of fact the court, which is composed of the Governor and all the Ministers but the Attorney-General, sat in April 1877.

Continuing, Mr. Kingston pointed out that Mr. Homburg now objected to the Chief Justice holding office as Lieutenant-Governor although, and he quoted a minute to prove the assertion, recently the Government of which Mr. Homburg was Attorney-General strongly advised that if a Lieutenant-Governor were appointed the Chief Justice while in active service should receive the office. The Premier expressed regret that friction warps the judgment of Mr. Homburg when the Supreme Court bench is being considered, and that so he is led to do them scant justice. The commission now granted to the Lieutenant-Governor, he added, is not for life, but during the Queen's pleasure. In New South Wales and Queensland the President of the Legislative Council had received the appointment as Lieutenant-Governor, but surely Mr. Grainger would not approve of such action here. "I would sooner have the President of the Legislative Council than the Chief Justice," was the reply, and "What! and give him power to dissolve the Assembly?" demanded Mr. Kingston. "If there was an election, I'd back him against the other man," answered the member for Wallaroo, inconsequentially, "for he'd poll two to one." Cases in which successful objections had been made to persons proposed to be sent to South Australia as Governor were run over, and then the Premier protested against a "chimera conjured up in the mind of the member for Wallaroo" depriving the Chief Justice of the remuneration which he generally enjoyed when acting as Governor. No reasonable ground had been urged why the House should pass the resolution, which would be a grave reflection upon the Judges.

With due deliberation, Mr. Kingston approached another and more important branch of the subject. He referred to the mode in which the request for the appointment had been met by the Colonial Office. Their treatment of it was much to be deplored. "Hear, hear," said Mr. McPherson, while the Premier continued that the action of the Secretary of State was inexplicable, and opposed to what the Government had a right to expect. "Hear, hear," said Mr. McPherson again. In courteous and respectful terms the Government, the Premier went on, expressed its desire to study economy in a time of financial distress by prolonging the term during which the Lieutenant-Governor would act after the departure of Lord Kintore. Practically they received no answer, and their convenience had not been studied. They were without any reply except the intimation that, yielding to pressure, Lord Kintore had consented to retain office for another year, receiving six months' leave on full pay. The Colonial Office regulations provide that in these circumstances half the usual salary shall be received by the Governor, and half by the person who fills the office in his absence. The effect of the attitude of the Secretary of State was to deprive the Government of the opportunity of economising, while the advantage of the expenditure of the Vice-Regal salary had been diminished by half. The Government had let the Colonial Office know that in the future the salary of our Governors would be reduced to 4,000*l.* yearly, while the House had shown a desire to further economise. But everything asked had been denied without any consultation, and this at inconvenience to Lord Kintore and cost to the Colony. The action of the Colonial Office was calculated, and it seemed to him was intended, to baulk the wishes of the people. He did not desire to attribute motives, as he believed the Secretary of State was acting under a false impression, and had a mistaken idea of the wishes of the Ministry, who thought they should get assistance in economising from the home Government. He did not hesitate to say that, in view of the respectful representation made to the Colonial Office, they had a right to expect assistance. They hoped that from the highest to the lowest no official would refuse to share in the reductions rendered necessary. In conclusion, Mr. Kingston said he thought, whatever justification he formerly imagined he had for the motion, Mr. Grainger would see he had none now. He asked the House to say that the resolution ought not to be passed. There were cheers, and Mr. Grainger had risen to briefly reply, but Mr. Castine again pressed for an adjournment, so that the matter will remain unsettled for another month.

No. 10.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received February 24, 1894.)

[*Answered by No. 11.*]

MY LORD,

Adelaide, January 23, 1894.

I HAVE the honour to forward herewith a memorandum which I have received from the Premier under date of the 18th instant, for transmission to your Lordship

as the reply of Ministers to your Lordship's Despatch to Lord Kintore of 25th September last.*

2. With respect to the first and the last paragraphs of the memorandum, the one relating to the continuance by Lord Kintore in his office for the full term of six years, and the other requesting that Ministers may have an early intimation when the appointment of his Lordship's successor is contemplated, I will not now trouble your Lordship with any observations.

3. The memorandum is mainly directed to the allowances to be voted to future Governors of the Colony in addition to the salary of 5,000*l.* a year, and clearly explains that, whereas about 2,500*l.* is now voted yearly upon the Estimates under the heading "Private Secretary," the only provision which will be made for Governors' expenses in addition to their salary, will be the wages of keepers and under-gardeners at the Adelaide Domain and at Marble Hill, amounting to about 500*l.* a year.

4. For your Lordship's information, I also enclose an extract from the Estimates for the current financial year, showing the items which are voted under the heading "*Private Secretary.*" The amounts which will be omitted in future are struck out in red ink.† Ministers' minute of 22nd July 1887 (referred to in the memorandum) was forwarded with a Despatch from Governor Sir William Robinson to Sir Henry Holland, dated 6th October 1887,‡ and, for facility of reference, a copy of that minute is also sent herewith.

5. The proposals of the Government which are now communicated differ in detail, but not as to amount, from those explained in Lord Kintore's Despatch to your Lordship, dated 16th August last.‡ At that time the Public Salaries Bill was before Parliament, and two clauses had been introduced into it for reducing the Governor's salary to 4,000*l.* a year, and for providing a fixed yearly sum of 1,500*l.* in lieu of the items under the heading "Private Secretary," which are hereafter to be excluded from the Estimates "in respect of the allowances of every Governor, and to the exclusion of any other payments." These clauses, though they passed the House of Assembly, were rejected by the Legislative Council on the ground that the Governor's salary could only be altered by a Bill reserved for Her Majesty's pleasure, and that the subject matter of these clauses ought to be dealt with by a separate measure, and not in a Bill of a temporary character for the reduction of the salaries of civil servants for the current year.

6. The present proposals carry out the policy which the Ministry supported both in the Assembly and the Council, that the Governor's salary and allowances shall not exceed 5,500*l.* a year. Now the salary stands at 5,000*l.* instead of being reduced to 4,000*l.*, the vote for allowances is to be cut down from 1,500*l.*, as proposed in the Bill, to 500*l.*, the total remaining at 5,500*l.*

7. These proposals do not touch the maintenance of the Governor's residences, the cost of which has never appeared under the heading of "Private Secretary," nor are they intended to take away his right to the use of furniture, which is still to be supplied, although interest on its cost will no longer be charged. The Governor's wines and spirits will not be exempted from Customs duty, and he will still have to pay income and other local taxes. It will not escape your Lordship's notice that the memorandum asks that the Governor is to select the members of his staff within the Colony, although they are to be paid out of his salary.

8. It is only fair to Ministers to point out that the reductions they propose in the Governor's allowances have no connexion with their request for delaying the appointment of Lord Kintore's successor. At a time when, in the attempt to make the revenue meet the expenditure, retrenchments of the most drastic kind are forced upon the Government, when the whole Civil Service have had to submit to severe reductions in their incomes, and when the burthen of taxation has been heavily increased, it is inevitable that the provision for the gubernatorial establishment should be diminished below a scale moderate enough in more prosperous conditions. The clauses to that effect were carried, one of them upon the voices, and the other by a large majority, in the Assembly, and their rejection in the Council was not owing to any unwillingness to adopt them if brought up in a separate Bill. Nor can I see any reason why, with a limitation upon expenditure neither impracticable nor inappropriate at a time of enforced economies, the emoluments which will still be attached to the Governor's office should not suffice for its reasonable requirements.

9. I fear, however, that the saving of 2,000*l.* per annum, which Ministers hope to effect by these reductions will not be realised. No one pointed out during the discussions in

* No. 4.

† Shown here in obliterated type.

‡ Not printed.

Parliament that a large part of the so-called "Allowances" are not for the Governor's personal benefit. It was apparently overlooked that his establishment includes, besides his residence, a public office at which much Government business is transacted. Private secretary, messenger, and orderlies, some of them entirely, and others almost exclusively, are engaged in duties quite apart from the Governor's private service. For some of these duties, as well as for a good deal of the expenditure under the heading "Private Secretary, Contingencies," it will be found, when the intended reductions are effected, that some other provision will have to be made.

I have, &c.
S. J. WAY.

Enclosure 1 in No. 10.

MEMORANDUM for his Excellency the **LIEUTENANT-GOVERNOR.**

Chief Secretary's Office, Adelaide,
January 18, 1894.

Ministers respectfully desire to acknowledge the receipt, through his Excellency the Governor, of the Despatch dated the 25th September 1893, from the Right Honourable the Secretary of State for the Colonies, replying to the request of Ministers that the appointment of a successor to his Excellency the Earl of Kintore might, for reasons of economy, be temporarily postponed. From this Despatch Ministers note that an extension of the term of Lord Kintore's appointment has been arranged by the Imperial authorities since the receipt of the Ministerial communication, and that this extension is now given as a reason for the practical refusal of the ministerial request. The disappointment which Ministers naturally feel under the circumstances is increased by their recognition of the fact that the arrangement to which they have referred was no doubt made by the Colonial Office with a view to the refusal already mentioned.

Since the receipt of the Despatch of the Right Honourable the Secretary of State for the Colonies, Ministers have had under their most careful consideration the question of the Vice-Regal salary and allowances. As a result, they have arrived at the conclusion that the expenditure for these purposes, which approximates to 7,500*l.* per annum, is considerably in excess of both the amount necessary for the proper discharge of the Vice-Regal duties, and the sum which the Colony can fairly be expected to pay. Ministers therefore respectfully intimate that, after the termination of Lord Kintore's governorship, no provision will be made for any Vice-Regal expense, except the salary of 5,000*l.* per annum, payable under existing legislation, and the wages of keepers and under gardeners at the Adelaide Domain and at Marble Hill. All other expenditure incurred by or on account of the Governor or in connexion with the Vice-Regal establishment will be required to be paid by the Governor. No charge will be made by way of interest on the cost of furniture or household effects supplied by the Government for Vice-Regal use, but the Governor will be expected to be responsible for all loss and damage.

The effect of the foregoing will be to save about 2,000*l.* per annum by transferring from the Colony to the Governor (with the exceptions only already mentioned) the responsibility of providing for the various items of expenditure at present voted on the annual Estimates in the Department of the Private Secretary, including the salaries of the Private Secretary and Provincial Aide-de-Camp. In this connexion Ministers respectfully ask that these offices may be filled locally, as there will be no difficulty in finding in the Colony gentlemen admirably qualified to discharge the duties.

Ministers desire to add that this communication is not in any way intended to qualify the Ministerial minute of the 22nd July 1887, so far as the same relates to the liability of Her Majesty's representative to income tax, customs duties, and local taxation.

In conclusion, Ministers recognise that the extension of Lord Kintore's term of office renders it unnecessary at present to further discuss the questions raised in the previous correspondence. At the same time, Ministers respectfully ask that they may be favoured by the Right Honourable the Secretary of State for the Colonies with an early intimation when any fresh Vice-Regal appointment is contemplated, in order, if so desired, that the matter may be again submitted for Imperial consideration.

C. C. KINGSTON,
Premier.

The MARQUESS OF RIPON to the EARL OF KINTORE.

[Answered by No. 13.]

SIR,

Downing Street, April 27, 1894.

I HAVE the honour to acknowledge the receipt of the Lieutenant-Governor's Despatch of the 23rd of January,* transmitting a Ministerial memorandum in connexion with my Despatch of the 25th of September 1893,† addressed to yourself.

I request that you will convey my thanks to your Ministers for this expression of their views and that you will at the same time explain to them that the decision that you should complete the term for which you were originally appointed was not taken in consequence of the suggestion that, with a view to economy, the appointment of your successor should be delayed. Her Majesty's Government will at all times give their best attention to proposals emanating from your Ministers having for their object the efficient discharge of the duties of Government with a due regard to economy, but, as you are aware, the appointment of a Governor is understood to be for a period of six years, and by the rules of the service, he is not entitled to claim the cost of a return passage, until the expiration of that period. You may assure your Ministers that the grounds on which I felt justified in pressing you to consent to forego an arrangement specially arrived at with my predecessor were of a public character and had for their object the best interests of the Colonial service.

I fully sympathise with the desire of your Ministers to curtail all unnecessary expense in the administration of the Government, but I am not without hope that, before the time arrives for the consideration of the question of the appointment of your successor, the circumstances which necessitated retrenchment may have been, at any rate in part, removed, and that it may be possible to propose arrangements with regard to the post of Governor which will involve a less considerable departure from those now in force and be more consistent with the dignity of the position of Her Majesty's representative in so important a Colony.

The present proposal to allot a salary of 5,000*l.* with an allowance of 500*l.* for the salaries of domain keepers and gardeners, instead of a salary of 4,000*l.* per annum with allowances at the rate of 1,500*l.* (including these salaries) has presumably been adopted with the view that South Australia may continue to be styled a first-class Government, but I do not feel sure that your Ministers have fully considered whether in many respects the previous proposal has not more to recommend it, in view of the fact that some of the allowances which it is now proposed to cut off are not given for the Governor's personal benefit, but form part of the cost of administration.

If, as I understand to be the case, it is proposed to require the Governor to defray from his salary the cost of telegrams which he may be obliged to send on public service, as well as the expenses of printing and postage, and even of official messengers, considerable confusion, and possible detriment to the public service, will not improbably ensue.

It should, I think, be fully considered whether it would not be better to allow the Colony to cease to be one of those whose Governors are, for pension and other purposes, considered to hold Governments of the first class, rather than to make arrangements which, while showing the Governor's salary at a figure which imposes on him heavy social responsibilities, deprives him of the power of discharging them by requiring him to defray from it charges of indefinite amount for the public service.

Meanwhile I agree that, in any case, the Governor need not be specially exempted from taxation.

As regards the proposal that the Governor should be required to select locally his Aide-de-Camp and Private Secretary, although I readily accept the assurance of your Ministers that there are gentlemen in the Colony possessed of the necessary qualifications, I am obliged to inform you that I cannot regard the scheme with favour. The Secretary of State does not in any Colony interfere with the Governor in the appointment of his personal staff and the delicate and confidential nature of the duties of Private Secretary and Aide-de-Camp render it necessary that the Governor should be unfettered in the selection of the gentlemen who will, in discharging these duties, be placed in very intimate relations with himself. If it were made a condition that the Governor is to choose for his confidential staff persons of whom he can have no knowledge, and who at the time of his appointment are many thousand miles away, an additional

obstacle would be placed in the way of finding suitable gentlemen to act, as Her Majesty's representatives. Under such an arrangement, the Governor would remain without a Private Secretary until after arrival, and this although, as your advisers are no doubt aware, the duties of a Private Secretary begin even before the Governor lands in the Colony.

I must add that the proposed condition appears to be at the present time specially inapplicable, seeing that the Colony will no longer provide the pay of these officers and the Governor is expected to pay them out of his own pocket.

I have, &c.

RIPON.

No. 12.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received June 5, 1894.)

MY LORD, Government House, Adelaide, May 1, 1894.

AN election for the Upper House is now pending, and the Ministry have communicated to the newspapers your Lordship's Despatch to Lord Kintore, of the 25th September 1893,* and the memorandum of the 18th January 1894 in reply, which I forwarded to your Lordship in my Despatch of the 23rd January last.†

2. I enclose herewith copies of the articles thereon which have appeared in the "Register" and "Advertiser," the two morning newspapers published in Adelaide.

3. The subject, however, has attracted no special notice at the election meetings which are being held; and, so far as I can observe, there is no desire on the part of the public that there should be any delay in the appointment of a Governor in succession to Lord Kintore when the occasion arises.

I have, &c.

S. J. WAY.

Enclosure in No. 12.

The "SOUTH AUSTRALIAN REGISTER," Wednesday, April 18, 1894.

INTRODUCED GOVERNORS AND NATIVE AUTOCRATS.

In the "Register" to-day are published two further Despatches that have passed between the Secretary of State for the Colonies and South Australian Ministers concerning the Vice-Regal position. In July 1893 the Colonial Office was asked by the Ministry to temporarily postpone the appointment of a successor to Lord Kintore, who was then expected to retire at the end of five years' service. The reasons given in support of their request were "convenience and economy." One specifically was that the Vice-Regal residence needed repair—we presume that this important matter has now been attended to—and that it could not well be repaired if the Governor were living in it. In addition to this trumpery pretext it was stated that a delay in the appointment of a new Governor would enable the Ministry to reduce expenditure temporarily; that by this means might be obviated the necessity of any permanent reduction in the Vice-Regal remuneration; and that the matter should be decided before any new appointment was made. Only three weeks after this was written, Ministers intimated that a permanent reduction would be necessary, and thus they betrayed a vacillation which must have amused the Secretary of State. Lord Ripon's answering Despatch, however, was as dignified as it was concise. He wrote on September 25—subsequent to the arrangement with Lord Kintore to remain in the Colony an additional year—and said, adroitly enough, that that decision disposed for the present of the main request of the Government. He added significantly that if the suggestion for a long interval between the appointment of Governors were renewed at any future time it would "involve considerations upon which I must be understood to reserve my opinion."

Replying to this in January last, Ministers in a decidedly Kingstonesque document displayed a disposition towards petulance which seems a little ridiculous. They virtually accused the Colonial Office of having arranged with Lord Kintore to serve an extended term so that it might refuse the request of South Australia. This charge may be well founded, in spite of the fact that the Imperial authorities have applied to Lord Hopetoun in Victoria the same rule which affected the Governor of South Australia. But, as two parties are needed to make a bargain, Lord Kintore must have agreed to the arrange-

* No. 4.

† No. 10.

ment which aroused the chagrin of Ministers. Mr. Kingston and his colleagues are therefore charging the Governor as well as the Colonial Office with opposing their designs. There was no need to do anything of this kind, and by doing it the Premier has displayed more fretfulness than diplomacy. This part of the Despatch, in fact, indicates how ill Mr. Kingston can bear opposition to his wishes or disarrangement of his plans. Another portion of the communication will probably mystify the Secretary of State, and somewhat startle those local legislators who are sufficiently independent of party to indulge in the sensation of astonishment. The Premier and his colleagues proceed to give this assurance to Lord Ripon:—

“Ministers respectfully intimate that after the termination of Lord Kintore’s governorship no provision will be made for any Vice-Regal expense except the salary of 5,000*l.* per annum, payable under existing legislation, and the wages of keepers and under gardeners at the Adelaide Domain and Marble Hill. All other expenditure incurred by or on account of the Governor in connexion with the Vice-Regal establishment will require to be paid by the Governor.”

Upon reading that passage Lord Ripon may be excused if he should stare incredulously. If he should consult the Constitution Act of South Australia he may be pardoned for making more vigorous demonstrations. As he scans the Governor’s Salary Act of 1866 he may not inappropriately ask whether the reign of parliamentary government has ended, and whether the sway of an autocracy has begun in South Australia. In effect that statute contains these words:—

“Whereas the salary of 4,000*l.* per annum is incommensurate with the duties and responsibilities of the representative of Her Majesty in South Australia, and it is therefore expedient that the said salary should be augmented . . . be it therefore enacted by the Governor-in-Chief . . . with the advice and consent of the Legislative Council and House of Assembly that the said salary shall be increased to 5,000*l.* per annum.”

It is an axiom under responsible government that laws made by Parliament cannot be repealed except by Parliament. Yet in their Despatch to the Secretary of State Ministers seem to have arrogated to themselves the authority to distinctly contravene the provisions of an Act of Parliament which the Legislature has never modified or repealed by any statutory process. It may be urged that they nominally adhere to the salary of 5,000*l.* named in the Act of 1866, but in reality they do nothing of the sort, and hardly anybody but a hair-splitting lawyer would argue that they do. The evidence of a tendency to usurp legislative authority is the most remarkable and serious aspect of the Despatch. *Ex pede Herculem.* The question of reducing the Governor’s allowances is fairly open to argument. If we cannot afford a good Governor at 5,000*l.* we must run the risk of getting an indifferent one at a lower salary. There seems to be some reason in the suggestion of the Government that certain officers in the Vice-Regal establishment may be appointed in the Colony. No great objection can be taken to the request that the Colony may be consulted before any fresh appointment is made to the governorship. But the gratuitous arrogation of authority by the Ministry is as decidedly objectionable as the petulant reference which we have instanced is unnecessary and undesirable. A collision with the Secretary of State would doubtless be a capital advertisement for an ambitious Minister, but it would not be likely to promote the welfare of South Australia.

The “ADVERTISER,” Wednesday, April 18, 1894.

VICE-REGAL ECONOMIES.

It will be seen by the correspondence appearing elsewhere that the Government have redeemed their undertaking in the House of Assembly last year to inform the Colonial Office of the intention to reduce the salary and allowances of future Governors to a total of 5,500*l.* The Public Salaries Bill, it will be remembered, provided for a reduction of the Governor’s salary from 5,000*l.* to 4,000*l.* but, in consequence of difficulties raised in the Legislative Council, this part of the measure failed to become law. In view, however, of the decision of the Assembly the Government decided on accomplishing their object in another way. At present the Vice-Regal expenditure amounts annually to about 7,500*l.* This, the Premier remarks in his memorandum, “is in excess of both the amount necessary for the proper discharge of the Vice-Regal duties and the sum which the Colony can be fairly expected to pay.” Consequently Ministers took steps in January last to acquaint Downing Street, through the medium of

the Lieutenant-Governor, with the fact that about 2,000*l.* is to be saved in the yearly outlay on the governorship after the expiration of Lord Kintore's term of office. The salary will remain at the present figure, but the Governor will be required personally to meet the various items of expenditure in the Private Secretary's Department now voted on the Estimates. This economy will approximate to the sum mentioned. It ought not to be forgotten that Lord Kintore voluntarily agreed to assume responsibilities in connexion with his staff after June 30th next which would result in a saving during the remainder of his term of office at the rate of 1,200*l.* per annum. The proposals of the Government related, of course, only to the successors of Lord Kintore, so that his Excellency's suggestion of a reduction of his allowances was a purely spontaneous act of generosity on his own part. It will be generally admitted that a total of 5,500*l.* a year is sufficient to expend on the Governor's establishment in this Colony. South Australia is not alone in the policy of cutting at the very top of the tree, for in other Colonies similar measures have been adopted. The mode in which the proposed economy is to be made has the advantage of retaining the amount of salary which, it is said, is necessary to be paid in order to secure the status of a first-class Colony. The Premier in his memorandum comments on the Despatch from Lord Ripon in which reference is made to the arrangement for Lord Kintore to serve the full term of six years, by which the Colonial Office evaded the necessity of deciding on the proposal of the Government that the appointment of a successor to his Excellency should be postponed. This arrangement is spoken of as "an extension of the term of Lord Kintore's appointment," and "disappointment" is expressed at "the practical refusal of the Ministerial request." Probably the action taken by the Colonial Office is rightly interpreted as a countermove to the suggestion that a successor to Lord Kintore should not be immediately appointed. If so, Downing Street has only gained time, as Ministers, while admitting that the question has been shelved for the present, ask to be favoured with an early intimation when any fresh Vice-Regal appointment is contemplated, with a view to a renewal of the request "if so desired." The statement in the memorandum that Lord Kintore's term of office was extended will probably be denied, though it is substantially, if not technically, correct. It seems that under the Colonial Office regulations the appointment of Governor is for six years. But the understanding and the practice both have been that the term should not exceed five years. Lord Kintore was himself under the impression that his appointment was made for the latter period, and he consented only to act for the longer term on condition that he was granted leave of absence in order that he might visit the old country. The very fact that during his protracted absence the Lieutenant-Governor is undertaking his duties and discharging them to the perfect satisfaction both of the Imperial and Colonial Governments is sufficient to expose the hollowness of the objections raised against the proposal that on Lord Kintore's final departure a successor should not be immediately appointed.

No. 13.

The EARL OF KINTORE to the MARQUESS OF RIPON.

(Received December 17, 1894.)

[*Answered by No. 16.*]

MY LORD,

Adelaide, November 14, 1894.

YOUR Lordship's Despatch of 27th of April,* having been under consideration of Ministers since the 30th of May, was returned to me last night with the following minute :—

"Ministers desire to express their high appreciation of the consideration which has been given to their memorandum of 18th of January 1894,† by the Right Honourable the Secretary of State for the Colonies, as evidenced by the terms of his Despatch of 27th of April 1894.* They are also gratified by Lord Ripon's assurances that there was no connexion between the extension of your Excellency's term of office and the Ministerial proposals for Vice-Regal economy on its termination.

"Ministers are sorry that the hopes so kindly expressed by the Right Honourable the Secretary of State for the Colonies that the necessity for retrenchment might be lessened by more favorable circumstances have not been realised; indeed, the need for economy has increased, but Ministers are sanguine that no loss of dignity attaching to

* No. 11.

† Enclosed in No. 10.

the position of Her Majesty's representative in South Australia will necessarily result from the proposed reductions in the expenditure connected with the Vice-Regal office.

"Ministers regret that they are therefore unable to modify their proposals in relation to the Vice-Regal emoluments. They will, however, ask Parliament to provide for the transmission, at the public cost, of any telegrams on state business which the Governor may be Ministerially requested to despatch.

"Ministers note with interest Lord Ripon's comments on the proposal that the Private Secretary and the Aide-de-Camp should be selected locally. They recognise the force of the suggestion that, as the salaries of these gentlemen will be paid by the Governor out of his own pocket, the position is not so strong as if these salaries were paid out of the public revenue. They do not therefore at this moment further press their request for the local appointment of these gentlemen. They would, however, most respectfully point out that the argument now advanced by the Right Honourable the Secretary of State for the Colonies, if pushed to its logical conclusion, would entitle the people of South Australia to a greater voice in the selection of the Governor, whose salary they pay, than has as yet been asked.

"In conclusion, Ministers desire to add that they most respectfully venture to anticipate compliance with the request they felt it their duty to prefer in the last paragraph of their memorandum of 18th January 1894."

I have, &c.

KINTORE.

No. 14.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received January 20, 1895.)

TELEGRAPHIC.

In compliance with wish of Ministers, inform you that 5,000*l.* salary per annum for the future Governor of South Australia must cover expenditure of Department of Private Secretary, till now voted in addition. Full details by post.

No. 15.

The AGENT GENERAL FOR SOUTH AUSTRALIA to COLONIAL OFFICE.

(Received February 6, 1895.)

Office of Agent General for South Australia,

Victoria Chambers, 15, Victoria Street, Westminster,

DEAR SIR R. MEADE,

London, S.W., February 5, 1895.

I HAVE just received the enclosed telegram from the Premier of South Australia, the Hon. C. C. Kingston, Q.C., and shall be glad to be informed when it will be convenient for the Right Hon. the Secretary of State for the Colonies to see me thereon.

Yours, &c.

T. PLAYFORD.

Enclosure in No. 15.

(Telegram received February 5, 1895, 12 noon.)

The Hon. the PREMIER, Adelaide, to the AGENT GENERAL for SOUTH AUSTRALIA.

See the Right Honourable the Secretary of State for the Colonies and inform him that Government is very anxious for compliance with the concluding paragraphs of the memoranda of Ministers, dated January 18, 1894, and November 13, 1894. Urge importance of postponing consideration of the appointment of a Governor of South Australia. Alternative names should be notified confidentially before appointment has been confirmed.

* * * * *

No. 16.

The MARQUESS OF RIPON to LIEUTENANT-GOVERNOR WAY.

SIR,

Downing Street, February 14, 1895.

I HAVE the honour to acknowledge the receipt of the Earl of Kintore's Despatch of the 14th November,* forwarding a minute of his Ministers on the subject of the reduction in the salary and allowances of the Governor of South Australia.

I am glad to learn that Ministers have to a great extent met the objections urged in my Despatch of the 27th of April last,† to the arrangements which they proposed with regard to future holders of the office of Governor, and I regret that the financial position of the Colony is still so depressed as to preclude them from according more liberal treatment to the Governor.

I should be glad, however, if they could see their way to a modification of the arrangement which they propose with regard to telegrams sent by the Governor.

They propose to provide from public funds for the cost of any telegram which the Governor may be Ministerially requested to despatch, leaving him to defray the cost of all other telegrams, whether sent on public business or not.

I need hardly observe that there must arise occasions on which the Governor may think it desirable in the public interests to send a telegram which he may not have been asked by his Ministers to send, and he is also sometimes requested by the Secretary of State to telegraph to him on matters of public business which may not pass through his Ministers. It appears to me scarcely fair to require the Governor to pay for the cost of such messages.

This Department has also found it convenient occasionally, when telegraphing in regard to matters of general Australian concern, to telegraph to the Governor of South Australia, and request him to repeat the message to the Governors of the other Colonies.

I am not aware what is the existing practice with regard to such messages, and whether, as they are sent over the Government lines, any charge would be made in respect of them, but if a charge is to be made on the Governor in respect of such messages, Her Majesty's Government would, of course, have to discontinue making use of South Australia as a centre for telegraphic communication with the Australian Colonies.

I am sure that your Ministers would not wish the practice to be discontinued nor to place a restriction on the Governor's action which could not fail to prove irksome, and might conceivably prove detrimental to the public interests.

I trust, therefore, that, on further consideration, they will agree to modify the proposed arrangement so that the cost of any telegrams sent by the Governor and certified by him to be on public service may be defrayed from public funds.

I have, &c.

RIPON.

No. 17.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received March 2, 1895.)

TELEGRAPHIC.

Financial reasons compel still further reduction, either a special reduction or one graduated with other salary reductions in the Colony.

No. 18.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received April 15, 1895.)

Government House, Adelaide,

March 11, 1895.

MY LORD,

I ENCLOSE, for your Lordship's information, a copy of the memorandum from the Premier in pursuance of which I sent a telegram on the 2nd instant.‡

* No. 13.

† No. 11.

‡ No. 17.

2. The condition of the public finances is occasioning much concern to Ministers and to everyone who is acquainted with the state of affairs. The revenue is falling short of the Treasurer's estimates, and the financial year will end with a large deficit, in spite of the most stringent economies; nor is the outlook for future years more encouraging. The Premier looks upon the situation so seriously that he has recently informed me that he contemplates asking that Parliament may be called together almost immediately with a view of devising means to increase the revenue and diminish expenditure. Under the circumstances, I think it probable that the scheme of retrenchment will include a proportional abatement of the salaries of the Governor and the Judges in common with those of the Civil Services.

3. I am of opinion that the request of Ministers for some delay in the appointment of Lord Kintore's successor is attributable solely to their anxiety to secure every possible saving of expenditure, however small. In support of this view I call your Lordship's attention to the observations of the Premier in a desultory conversation in the House of Assembly on going into Committee of Supply on the 19th December last, as reported in the enclosed extract from the local Hansard at page 3032.

4. Probably Lord Kintore's successor will be appointed before this Despatch reaches your Lordship. Should this not be the case, I submit for your Lordship's consideration whether it may not be advisable to comply with the request to delay the appointment for a few months. Although the saving secured would be small, your Lordship's co-operation and sympathy with the Ministry in the difficulties with which they have to cope would be highly valued by them; whilst the present uncertainty as to the emoluments attached to the new Governor's office would then be finally settled.

5. I have the less delicacy in making this suggestion as your Lordship is aware that I have never previously favoured any delay in making the appointment; and, moreover, my additional expenditure, if I have to administer the Government during the winter months, will necessarily be largely in excess of the moiety of the Governor's salary which I shall receive.

I have, &c.

S. J. WAY.

Enclosure 1 in No. 18.

MEMORANDUM for his Excellency the **LIEUTENANT-GOVERNOR.**

Premier's Office, Adelaide, March 1, 1895.

Ministers respectfully desire that his Excellency the Lieutenant-Governor will advise the Right Honourable the Secretary of State for the Colonies that considerations of public economy require the notification that Vice-Regal savings will probably be necessary in addition to those already officially advised. These may include either a special reduction of the Vice-Regal salary, or a graduated abatement in common with other local salaries.

As these savings would no doubt affect any Governor appointed to succeed Lord Kintore, Ministers respectfully ask that his Excellency will cable the desired information.

C. C. KINGSTON,

Premier.

Enclosure 2 in No. 18.

Parliamentary Debates, December 19, 1894.

The Attorney-General was somewhat surprised at so old a stager as Mr. Gilbert getting such erroneous ideas into his head about this, that, and the other. But possibly he had been misled by one branch of the press which had published reports as to what had happened in London. The Government proposals as to the governorship were laid before the House about 18 months ago. It was then clearly stated that for reasons connected with economy it was desired that when his Excellency the Governor left the Colony the Chief Justice should act as Lieutenant-Governor for a somewhat longer term than usual. (Mr. Homburg.—“In order that Government House may be repaired.”) Well, Government House had not been repaired, and the subsequent correspondence put the matter on a broader basis. That was their proposal. As to what was possible in case the

Lieutenant-Governor was appointed Governor, he knew of no necessity for considering that question at present. If that contingency should arise he believed that the views of the Government would be found to be in harmony with those of the House. (Mr. Solomon.—“ Was nothing further said to the Home Government ? ”) Nothing further. Members had doubtless formed their opinion from remarks in a London letter, and into that were sometimes introduced conclusions which were not altogether based on fact. The idea was, in fact, all smoke. He did not agree with Mr. Giles in considering that the only tie between the Colonies and the mother country consisted in the right of the Imperial Government to appoint Governors. National sentiment was a much more powerful tie. Mr. Giles had said that he was a South Australian, and some people talked a great deal about the fact that they were born here. Well, that was a matter about which they were not consulted, and, if anything, the greater credit rested with those who had come to the Colony as a matter of choice. Perhaps one of the advantages of federation would be that we should have one Governor-General of Australia rather than a Governor for each of the Colonies. As to the question of electing a Governor, that was a method which had considerable disadvantages. Certainly the gentleman who was elected Governor would not be content to remain a mere figure-head. An elected Governor would contend that, as he was chosen by the whole community, he was above the Members of Parliament, who were simply chosen by individual constituencies, and also that he was above Ministers. He would claim to take an active part in public matters of administration, and that might lead to very undesirable results. As to the Lieutenant-Governor acting as Chief Justice, he believed that in respect to the Malcolm lands case the evidence was taken and the judgment given while the Chief Justice was, in his capacity as Lieutenant-Governor, acting as a member of the executive. He could assure the House that nothing whatever would be done by the Ministry that would decrease the sympathy between the mother country and South Australia.

No. 19.

LIEUTENANT-GOVERNOR WAY to the MARQUESS OF RIPON.

(Received June 1, 1895.)

[Answered by No. 20.]

Government House, Adelaide,

May 2, 1895.

MY LORD,

In answer to your Lordship's Despatch of the 14th February last,* I have the honour to transmit herewith a copy of a memorandum which I have received from my Ministers on the subject.

2. Your Lordship is aware that I am merely the channel of communication as regards this document; I do not hold myself in any way responsible for the views therein expressed.

I have, &c.

S. J. WAY.

Enclosure in No. 19.

From the SECRETARY OF STATE, February 14, 1895.

GOVERNOR'S SALARY AND ALLOWANCES, ESPECIALLY AS TO TELEGRAMS.

MEMORANDA.

For consideration : I hope Ministers will see their way to comply with the request of the Secretary of State.

Government House, March 19, 1895.

S. J. W.,

L. G.

* No. 16.

MINUTES forming Enclosure to Secretary of State's Despatch, February 14, 1895,
respectfully returned to his Excellency the Lieutenant-Governor.

Ministers regret that they are unable to see their way to assent to the modifications desired by the Right Honourable the Secretary of State for the Colonies.

They do not hesitate to assure his Excellency that they will be pleased at all times to authorise any necessary public expenditure on telegrams relating to public business. But they respectfully venture to consider that it is less than fair to debit the public with the cost of telegrams on matters in which they have neither interest nor concern, such as English Episcopal appointments.

Ministers attach no importance to the question of whether or not South Australia is used by the Imperial Government as a centre for telegraphic communication with the Australian Colonies. They know of no particular advantage which results to the Colony from the present practice, and would be glad to be informed of any which is suggested. As a matter of fact, no charge is made for any telegram sent by the South Australian Vice-Regal representative to the Governor of any other Australian Colony. The circumstances under which the alteration of the present practice is promised do not therefore at present arise. In any case Ministers respectfully decline to be influenced by a course of action which appears to be suggested to induce the payment by the Colony of an amount which, though small, Ministers venture to consider should rightly be paid by the Imperial Government.

Ministers desire to acknowledge the sympathetic reference of the Right Honourable the Secretary of State for the Colonies to the position of the Colony which is mentioned as "precluding more liberal treatment of the Governor." Ministers have every confidence in the local resources. At the same time they desire to state that the fullest consideration satisfies them that the present Vice-Regal salary and emoluments are more than adequate, and they trust shortly to be able to effect their substantial reduction in accordance with the intimation given on 1st March last. Ministers find serious difficulty in justifying the continued burdening of a handful of people with the payment to the Vice-Regal representative of a salary equal to that which until 20 years ago was paid to the President of the United States.

Ministers are not forgetful that it has been frequently stated that the Vice-Regal expenditure exceeds the Vice-Regal remuneration. If this be so, and Ministers at the least doubt if it is the invariable rule, it is occasioned by the too lavish entertainment of distinguished visitors who require no such attention, or of local society, which constitutes only a small section of the community. No such lavish expenditure is necessary in the public interests, and Ministers are satisfied that the people generally will contemplate with more than equanimity any reduction in the Vice-Regal outlay necessitated by the reduction of the salary to that properly attaching to the office. The various absences of different Governors have established beyond dispute that the affairs of the Colony can be faithfully administered, and the Vice-Regal obligations duly discharged, by gentlemen who draw only half the usual salary.

Ministers will shortly intimate the nature of the further Vice-Regal economies intended to be effected.

In the meantime they respectfully ask that the contents of this minute may be communicated to the Right Honourable the Secretary of State for the Colonies.

C. C. K.,
P.

April 30, 1895.

No. 20.

The MARQUESS OF RIPON to LIEUTENANT-GOVERNOR WAY.

SIR,

Downing Street, June 28, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 2nd of May,* forwarding a further minute of your Ministers on the subject of the Governor's salary and emoluments.

* No. 19.

With regard to the general question, it is, of course, for the Colonial Government and Legislature to fix the emoluments attaching to the post of Her Majesty's representative, and I have no desire to oppose any decision which they may arrive at after full consideration of all the circumstances, though I should view with deep regret a reduction which would render it impossible for the Governor to discharge with dignity and propriety the important duties of his office.

With regard, however, to the question of telegrams, I should have been glad had Ministers seen their way to accept the suggestion made in my Despatch of the 14th of February* that messages certified by the Governor to be on public business should be sent at the public expense.

The instance to which they refer of a telegram to this Department on the subject of Bishop Kennion's appointment is, I readily acknowledge, not one which should strictly have been sent at the expense of the Colony, and if they will inform me what was the cost of the message in question I will cause it to be refunded.

The point was, no doubt, overlooked when the message was sent.

I hope, therefore, that, on further consideration, your Ministers will see their way to removing a restriction on the Governor which could not fail to be irksome and inconvenient to him and detrimental to the best interests of the Colony.

I have, &c.

RIPON.

No. 21.

LIEUTENANT-GOVERNOR WAY to MR. CHAMBERLAIN.
(Received August 19, 1895.)

SIR,

Government House, Adelaide, July 15, 1895.

WITH reference to my Despatch dated the 2nd May last,† and previous correspondence concerning the "Vice-Regal Salary and Emoluments," I have the honour to state that papers on the subject have now been laid on the table of the House of Assembly.

2. I enclose herewith extracts from the "Register" and "Advertiser," containing the papers laid before the House, and articles thereon.

I have, &c.

S. J. WAY.

Enclosure in No. 21.

The "REGISTER," ADELAIDE, TUESDAY, JULY 9, 1895.

MORE NAGGING OVER THE VICE-REGAL SALARY.

We publish to-day the latest Despatches which have passed between the Imperial authorities and the South Australian Ministry concerning the Vice-Regal office and its emoluments, and the information is instructive as well as interesting. It would be easy to point out that the Premier, who has conducted the correspondence on behalf of South Australia, has exhibited a petulance and bitterness of tone in striking contrast to the self-possessed style adopted by the Secretary of State for the Colonies. It might even be urged that the negotiations display signs of a conflict between Adelaide impudence and Downing Street dignity. But we do not dwell upon this aspect of the case, because it may fairly be said with regard to the purely personal aspects of the correspondence that, though Mr. Kingston has shown a comparative lack of grace and self control, he has subdued his natural instincts and kept his temper better than usual, and probably as much as it is possible for him to do. No man should be blamed for his infirmities of temperament—for what he cannot help. One cannot make a honeycomb out of a lemon. Viewed in another light, however, the attitude Mr. Kingston assumes in some of his official minutes may fairly delude the Imperial authorities into the idea that he is South Australia and the dependencies thereof. This, indeed, is the first objection which we raise to his com-

munications. Mr. Kingston writes with a strange disregard of his constitutional and other relations to Parliament. "Ministers," says he in effect, "will do so-and-so." He does not recognise, as he should, that, if Parliament only boldly asserted the position which the people have assigned to it, Ministers would have to do what the Legislature instructs them to do—would have to act as the servants of Parliament, just as Parliament is the servant of the people. More importance is attachable to this hint than may appear at first sight. Unless Mr. Kingston is marvellously well disguising his intentions, he is striving to abolish Imperially-appointed Governors. At the same time he is encroaching more and more upon the rights of the Legislature—advancing further and further towards usurping the functions of a dictator. By removing all outside representation of the Colonial Office he would destroy some existing checks upon autocratic sway. He has declared his hostility to the popular election of Governors; therefore any local vicegerent—following the Lieutenant-Governor—who would please him must be one appointed by the executive. An executive of which he is a member is practically Mr. Kingston himself. The rest is obvious.

The most prominent feature of the correspondence is the way in which the Premier shuffles to his conclusions in argument. He corkscrews curiously. The manner in which he has nagged at the Imperial Government over the Vice-Regal position would be ridiculous if it did not make South Australia appear so. The effect upon outside opinion of our Parliament need not be considered, because, as we have pointed out, Parliament has been virtually ignored. Originally the Colonial Office was requested, on a double plea, to allow an interregnum between two Vice-Regal appointments. Firstly, Government House had to be repaired, and it would be convenient for the Governor to be absent whilst this was being attended to, a palpable subterfuge, of course, as there are two viceregal residences, one of which might be wholly occupied while the other was being renovated. Lord Kintore, however, left the Colony for several months, and so that representation was disposed of. Secondly, the proposed interval would facilitate the arrangement of economies which might obviate permanent reductions in the Vice-Regal salary and allowances. But before these Ministerial requests could reach their destination the Ministry notified that Parliament would be asked to reduce the Governor's salary, and that other changes would be made. Later, though Parliament declined to authorise the reduction, Ministers took it upon themselves to intimate an even more radical alteration than had been submitted to the Legislature, and to add a suggestion that certain officials, to be paid out of the new Governor's own pocket, should be appointed locally. And, arrogating to himself greater and greater authority, Mr. Kingston notified that still further decreases would be enforced in the payments to the Governor, notwithstanding the fact that the Imperial authorities had every reason to believe that the terms set out in previous correspondence represented finality. It seems, indeed, as though the Premier was determined from the first to embarrass the Colonial Office in the choice of a successor to Lord Kintore. Lord Ripon appears to have understood this, though he does not say so; and, if he felt more than a passing interest in a matter which has evidently agitated the Premier to the abysmal depths of his soul, his chief wonder probably has been why Mr. Kingston beat about the bush so much instead of at once getting to his point.

Other features of the correspondence should be considered apart from the Vice-Regal position itself. If South Australia cannot afford to pay its Governor one sum, there is nothing discreditable in its fixing another, providing that the amount is reasonable, and that it is legally and properly approved by Parliament. But the Colony must not expect to eat its cake and have it. It must be prepared to endure sacrifices whilst thrusting others upon the Queen's Vice-Regent. The most significant part of Lord Ripon's Despatches is that in which he expresses surprise at the meanness of the proceeding by which the Ministry seeks to retain a nominal salary entitling South Australia to rank among Colonies having "first class" governorships, whilst actually paying much less than that salary. We need not comment upon the dignified rebuke administered by Lord Ripon to the Premier's spoilt-childish suggestion that Lord Kintore had been induced to serve an extra year just to spite the Kingston Ministry; nor is it necessary to allude to the controversy about local appointments more specifically than to commend the Ministry for retreating from the manifestly untenable position which Mr. Kingston originally assumed. But two other points do emphatically challenge criticism. These are connected with the questions of the Governor's telegrams and Mr. Kingston's sneering allusion to the fact that the Vice-Regal functions have been performed by local gentlemen at a less cost than that involved in the agreements with various Governors. So far as the first matter is concerned, it was mere gratuitous bounce on the part of the Premier to hector the Imperial Office regarding public telegrams sent by the Governor without

instructions from the Ministry. If Lord Kintore, as is suggested in the correspondence, telegraphed to England at the public expense relative to the resignation of Bishop Kennion, he should not have done so; but when Mr. Kingston virtually claims that the Ministry shall be censor of all public telegrams despatched from Government House he makes a demand which is insulting. At least before calling attention to the mote in another's eye he should take the beam out of his own. How many times has Mr. Kingston used the telegraph wires to communicate with other Colonies—if not with the Agent-General—when there was no need to do so in the public interest? How much, from first to last, did his quarrel with Mr. Turner cost the country? Were Government officers employed in any way in connexion with that matter? If so, applying the proposition intended by him for the guidance of Governors, they had even less right to be than Members of Parliament have to send franked telegrams or letters. From every point of view the Premier's references to South Australia's position as a centre of telegraphic communication demonstrate anew his right to be styled a "Little South Australian." Such criticisms as he has addressed to the Imperial Government show that, in his estimation, it is no advantage to the Colony to keep its name well before the public of Australia, and that he is oblivious to considerations which may possibly serve as a decided factor in inducing Great Britain to subsidize the Pacific cable, thus destroying the South Australian overland telegraphic monopoly.

As for the intimation that temporary substitutes for the Governor have acted satisfactorily, it is only necessary to remind the public that precisely the same thing may be said of the Premier. He has been away—in fact, half of his colleagues have been absent—for weeks at a stretch, and nobody has missed them. The work of the State has not been interrupted. The heads of departments have done it at half the price paid to their Ministerial chiefs. Would Mr. Kingston like this argument carried to what he terms its logical conclusion? Probably not. If he laid down a rigid rule that the public should pay only for solid substantial value received, people might begin to talk of the 1,900*l.* odd demanded by, and the 1,300*l.* odd paid to, his firm in connexion with the Arthur case. We have left to the last the statement which, of all those indulged in by Mr. Kingston, is in the worst taste, and which indicates most convincingly his extreme narrowness of view. We allude to his expression of opinion that the entertainments at Government House are on too lavish a scale and benefit only a small section of the community. Considering that the Premier has probably had his legs under the Vice-Regal mahogany more than any one else in South Australia during the past two or three years, such a reference ill beseems him. And to talk of only a few persons being benefited is not to talk accurately. In social entertainment wealthy people take their cue from Government House, and thus thousands of pounds are yearly distributed in the Colony which otherwise would be hoarded or sent away. By arguing against festivities in the Domain Mr. Kingston is more likely to please the well-to-do people who are thus driven to part with money than the ill-to-do folk to whom the expenditure of that money is a boon.

The "REGISTER," ADELAIDE, TUESDAY, JULY 9, 1895.

THE GOVERNOR'S SALARY.

FURTHER REDUCTIONS.

On Thursday last the Ministry laid before the House of Assembly copies of correspondence which has passed between the South Australian Government and the Secretary of State for the Colonies with reference to the appointment and salary of a successor to Lord Kintore in the Vice-Regal office. Some of the documents we have already published. These conveyed the information that on July 20, 1893, Mr. Kingston wrote through the usual channel to the Secretary of State, requesting that an interregnum might be allowed between the completion of Lord Kintore's term of office and the appointment of his successor. The reasons given for this suggestion were that the Vice Regal residence needed repair, that the proposed delay would enable the Ministry to reduce expenditure temporarily, and that thus might be obviated the necessity of any permanent reduction in the Governor's remuneration. Lord Ripon's reply, written on September 25, 1893, subsequently to the arrangement with Lord Kintore to remain in the Colony an additional year, was to the effect that that arrangement disposed for the present, of the main request of the Government. His Lordship added significantly that if the suggestion for a long interval between the appointment of Governors were renewed at any future

time it would "involve considerations upon which I must be understood to reserve my opinion." Before the Secretary for the Colonies could receive the first letter of July 20, 1893, Mr. Kingston wrote again on August 1, 1893, and intimated that Ministers intended to propose to Parliament to repeal the Governor's Salary Act of 1866, thus reducing the salary from 5,000*l.* to 4,000*l.*, and repeating their request for an interregnum. On January 24, 1894, the Premier replied to Lord Ripon's Despatch of September 25, 1893. In this letter Mr. Kingston virtually declared that the Colonial Office had arranged with Lord Kintore to serve an extended term in order that the request of the Colony might be refused. He also intimated—without saying anything more about seeking the sanction of Parliament—that any new Governor would be required to take 5,000*l.* per annum in addition to the wages of keepers and under-gardeners; in other words, a reduction of 2,000*l.* yearly would be made in the cost of the establishment. A further request was that the Private Secretary and Aide-de-Camp might be appointed locally, though their salaries would have to be paid by the Governor, and another was that the Government might be communicated with again prior to the appointment of a new Governor. The principal purport of this Despatch was telegraphed to England "in order to avoid the possibility of complications arising from a fresh appointment without notice of the intended alterations."

The "ADVERTISER," TUESDAY, JULY 9, 1895.

THE VICE-REGAL SALARY AND ALLOWANCES.

To deal with a Governor's salary, by way of reduction, during the tenure of his office is in any case a delicate piece of business, and quite inexcusable unless that Governor entered upon his office clearly understanding what was contemplated. In the Lieutenant-Governor's speech on opening Parliament it was stated that "Ministers consider that the Vice-Regal salary and emoluments may be properly subjected to further reduction, and have therefore notified the Imperial Government that they hold themselves free at any time to deal with the subject." It is to be hoped that Sir Fowell Buxton was fully informed by the late Colonial Secretary, Lord Ripon, of what the Ministry proposed. If, as may be assumed, the position was thoroughly explained to the various gentlemen believed to have been approached by the Colonial Office in regard to the vacant governorship of South Australia, there is no difficulty in understanding that the appointment was not in very great demand. Whether a salary is large or small, having regard to the nature of the service to be rendered, it is always desirable to have it definitely fixed beforehand. Nobody likes to buy a "pig in a poke." In this case, as appears from the official correspondence laid before the House of Assembly last week, Ministers gave the home authorities ample notice of certain economical arrangements to which the Colonial Secretary, with evident reluctance, agreed; but as late as March last a cablegram was despatched supplementing precise proposals for savings in the Vice-Regal administration by others the nature of which is only dimly foreshadowed. A Governor accepting office on such terms must be presumed to be comparatively indifferent to the question of remuneration, for beyond a particular point his position is left as uncertain as that of the ordinary Civil servant whose salary is voted on the annual Estimates.

Nearly two years ago the late Secretary of State, Lord Ripon, was apprised of the Ministerial proposal, forming part of a general scheme of retrenchment, to reduce the Vice-Regal salary from 5,000*l.* to 4,000*l.* That proposal, it will be remembered, was submitted to Parliament, but, owing chiefly to technical objections, was not carried. After further consideration the Government changed their ground, and in January last year the Lieutenant-Governor was desired to advise Lord Ripon by telegraph that the Vice-Regal salary of future Governors would include, practically, all items now voted on the Estimates in the Private Secretary's Department. The request for an intimation by cable was preferred "in order to avoid the possibility of complications arising from a fresh appointment without notice of the intended alterations in the amount available for Vice-Regal expenditure." A detailed memorandum of the same date, and forwarded in the ordinary course, explains that Ministers had arrived at the conclusion that an expenditure amounting in salary and allowances approximately to 7,500*l.* per annum exceeded "the amount necessary for the proper discharge of the Vice-Regal duties and the sum which the Colony can fairly be expected to pay." Accordingly when Lord

Kintore's term expired the salary of 5,000*l.* would include all expenses except the wages of keepers and under-gardeners at the Adelaide Domain and at Marble Hill. This intimation was evidently not at all to the liking of the Colonial Office. In his Despatch of April 27, 1894, Lord Ripon, while expressing sympathy with the Ministerial desire to curtail unnecessary expenditure, politely coupled with that expression the hope that before the time arrived for appointing a successor to Lord Kintore the Colony's circumstances would have improved so far that it might be "possible to propose arrangements with regard to the post of Governor" which will involve a less considerable departure from those now in force, and be more "consistent with the dignity of the position of Her Majesty's representative in so important a Colony." But this subtle flattery was without effect on a Ministry determined to be economical and not to spare the top of the tree while busily at work with the pruning-knife among the branches. The Colonial Secretary did not like either the reduction or the form in which it was proposed to be made. Perhaps, he hinted, the idea of keeping the salary at 5,000*l.* while abolishing the allowances was adopted with the purpose of saving the position of the Colony as a first-class Government. The original proposal, it was suggested, had more to recommend it, inasmuch as some of the threatened allowances are not made for the Governor's personal benefit but form part of the cost of administration. An indefinable prestige is supposed to attach in some way to a Colony placed by the Colonial Office in the first class. We are not aware that it is prestige of a kind so likely to strengthen our financial credit as proof of the determination to pay our way as we go along. At all events, Lord Ripon raised no point of the kind, but he thought "it should be fully considered whether it would not be better to allow the Colony to cease to be one of those whose Governors are, for pension and other purposes, considered to hold Governments of the first class rather than to make arrangements which, while showing the Governor's salary at a figure which imposes on him heavy social responsibilities, deprives him of the power of discharging them by requiring him to defray from it charges of indefinite amounts for the public service." It does not appear that Ministers were deeply impressed by the considerations pointed out. Their next memorandum affirms an increasing need of economy, expresses a sanguine belief that reduced remuneration would not curtail the dignity of the Vice-Regal office, and regrets the inability to modify their proposals. Lord Ripon was left with practically nothing more to say on this branch of the subject except that he was sorry "that the financial position of the Colony is still so depressed as to preclude Ministers from according more liberal treatment to the Governor." But, as Ministers had from the first taken the ground that the Vice-Regal remuneration was needlessly great for the proper discharge of the Governor's duties, this polite insinuation from Downing Street that hard times had made South Australia stingy was more than they could stand. The result was the following democratic outburst from the Premier in his memorandum of April 30 last, to which the reply will be awaited with some curiosity:—

"Ministers desire to acknowledge the sympathetic reference of the Right Hon. the Secretary of State for the Colonies to the position of the Colony, which is mentioned 'as precluding more liberal treatment of the Governor.' Ministers have every confidence in the local resources. At the same time they desire to state that the fullest consideration satisfies them that the present Vice-Regal salary and emoluments are more than adequate, and they trust shortly to be able to effect their substantial reduction in accordance with the intimation given on March 1 last. Ministers find serious difficulty in justifying the continued burdening of a handful of people with the payment to the Vice-Regal representative of a salary equal to that which until 20 years ago was paid to the President of the United States. Ministers are not forgetful that it has been frequently stated that the Vice-Regal expenditure exceeds the Vice-Regal remuneration. If this be so, and Ministers, at the least, doubt if it is the invariable rule, it is occasioned by the too lavish entertainment of distinguished visitors, who require no such attention, or of local society, which constitutes only a small section of the community. No such lavish expenditure is necessary in the public interest; and Ministers are satisfied that the people generally will contemplate with more than equanimity any reduction in the Vice-Regal outlay necessitated by the reduction of the salary to that properly attaching to the office. The various absences of different Governors have established beyond dispute that the affairs of the Colony can be faithfully administered and the Vice-Regal obligations duly discharged by gentlemen who draw only half the usual salary."

The same minute declares that the Government intended shortly to intimate the nature of the further Vice-Regal economies proposed. About two months earlier, Ministers had desired the Lieutenant-Governor to despatch a cablegram intimating the probability,

in addition to the economies previously advised, of "either a special reduction of the Vice-Regal salary or a graduated abatement in common with other local salaries." Lord Ripon should be thankful that the loss of office has at least relieved him from the necessity of pursuing correspondence with an economist so pertinacious and so little respectful for the expensive social functions of Colonial Governors as the present Premier of South Australia. We have referred merely to the main topic of the correspondence. Through the Despatches and minutes threads the discussion of minor questions of Vice-Regal expenditure, such as the cost of telegrams. The Government on the latter point would concede no more than that South Australia should pay the cost of telegrams on State business which the Governor might be ministerially requested to despatch. Lord Ripon then pointed out that occasions arise when the Governor thinks it desirable, in the public interest, to send telegrams which his Ministers may not have asked him to despatch. Should he be out of pocket for these? The Government reply that they will be pleased to authorise necessary public expenditure on telegrams relating to public business. But they respectfully urge that "it is less than fair to debit the public with the cost of telegrams on matters in which they have neither interest nor concern, such as English episcopal appointments." The request of the Government that the offices of Private Secretary and Aide-de-Camp might be filled locally naturally provoked the retort from Lord Ripon that surely the Governor should have the right of freely choosing the officers he is to pay himself. The Ministry recognised the force of the suggestion, but could not resist the temptation to reply with the sly hit that, by the same reasoning, South Australia should have a greater voice in the selection of the Governor it pays.

No. 22.

LIEUTENANT-GOVERNOR WAY to MR. CHAMBERLAIN.
(Received August 21, 1895.)

TELEGRAPHIC.

Ministers introducing Bill reducing Governor, South Australia, salary to 4,000%. Deficit on year's revenue 100,000%.

No. 23.

MR. CHAMBERLAIN to LIEUTENANT-GOVERNOR WAY.
(Sent August 28, 1895.)

TELEGRAPHIC.

[*Answered by No. 24.*]

Report whether the proposed further reduction in the Governor's salary is, in your judgment, likely to pass both Houses.

No. 24.

LIEUTENANT-GOVERNOR WAY to MR. CHAMBERLAIN.
(Received August 29, 1895.)

TELEGRAPHIC.

[*Further Telegram, No. 27.*]

I fear that the Bill when introduced will pass both Houses. I will report definitely next week. Shall return to Adelaide Sunday.

No. 25.

COLONIAL OFFICE to SIR T. FOWELL BUXTON.
[*Answered by No. 26.*]

SIR,

Downing Street, August 31, 1895.

I AM directed by Mr. Secretary Chamberlain to transmit, for your information, a copy of a telegram* from the Officer Administering the Government of South Australia, reporting that his Ministers are introducing a Bill for the further reduction of the Governor's salary to 4,000% per annum, with a paraphrase of a further telegram† on the same subject.

* No. 22.

† No. 24.

I am also to enclose, for perusal and return, newspaper extracts* respecting the correspondence which has passed between this Department and the Colonial Government on the subject of the Governor's emoluments.

The further reduction now contemplated was foreshadowed in the minute of the South Australian Government of the 1st of March last, which Mr. Chamberlain learns was shown to you privately when it was received.

I am to add that Mr. Chamberlain feels that the situation has been much altered by the recent determination of the South Australian Government, and he cannot but admit that the large reduction now contemplated, if passed by the Colonial Parliament, is such as might materially have affected your acceptance of the office of Governor, had it been supposed that the reduction which was foreshadowed would prove so considerable, especially as the original reduction was accompanied by proposals which to some extent cannot but be considered as derogatory to the dignity and efficiency of the office Her Majesty has conferred upon you.

Mr. Chamberlain is well aware that you have carefully refrained from raising any difficulty in connexion with this discussion between the Secretary of State and the Colonial Government, a course of conduct which he highly appreciates, but he desires me to say that he considers, in present circumstances, it is only due to you that you should have an opportunity of reconsidering your position, and that, in his opinion, you would be amply justified should you ultimately decide that it is undesirable to carry out your intention to proceed to the Colony and prefer to ask to be allowed to resign your appointment.

I am, &c.

JOHN BRAMSTON.

No. 26.

SIR T. FOWELL BUXTON to COLONIAL OFFICE.

(Received September 3, 1895.)

SIR, Warlies, Waltham Abbey, September 2, 1895.

I HAVE to acknowledge the receipt of your letter of August 31,† containing newspaper extracts, for perusal and return, and copies of telegrams from the Lieutenant-Governor of South Australia, which indicate an intention on the part of his Ministers to reduce the Governor's salary to 4,000*l.*, and perhaps the possibility in future years of further discussions on that topic.

It is very gratifying to myself to learn that the Secretary of State approves the course that I have thought it right to follow.

I notice that, under present altered circumstances, he considers that I should have an opportunity of reconsidering my position, and that I should be justified in asking permission to resign the appointment.

I beg to say that if that course is desirable in the interest of the public service I should be ready to adopt it, but, as at present advised, I should not feel it right to resign those duties which come to me by the commission conferred upon me by Her Majesty.

I remain, &c.

THOMAS FOWELL BUXTON.

No. 27.

LIEUTENANT-GOVERNOR WAY to MR. CHAMBERLAIN.

(Received September 5, 1895.)

TELEGRAPHIC.

The Salary Bill, which is to be introduced on the 10th of September, will certainly pass the Assembly, and probably Legislative Council by a narrow majority.

* Enclosure in No. 21.

† No. 25.

No. 28.

MR. CHAMBERLAIN to LIEUTENANT-GOVERNOR WAY.
(Sent September 7, 1895.)

TELEGRAPHIC.

[Answered by No. 30.]

Telegraph exact statement of Governor's salary and allowances if Bill passed.

No. 29.

COLONIAL OFFICE to SIR T. FOWELL BUXTON.

SIR,

Downing Street, September 7, 1895.

WITH reference to the letter from this office of the 31st of August,* I am directed by Mr. Secretary Chamberlain to transmit to you the accompanying paraphrase of a further telegram† from the Officer Administering the Government of South Australia regarding the proposed reduction of the salary of the Governor of that Colony.

Mr. Chamberlain desires me at the same time to acknowledge the receipt of your letter of the 2nd instant,‡ and to express his recognition of the public spirit which has induced you to offer to proceed to the Colony and to take up the duties of Governor. It causes Mr. Chamberlain deep regret that the financial position of the Colony appears to be so grave as to render the proposed reduction of salary absolutely necessary.

A telegram§ has now been addressed to the Officer Administering the Government asking for an exact statement of the salary and allowances that will be attached to the Governorship in the event of the Bill which is to be introduced passing both Houses, as anticipated; and on the receipt of his reply a communication will at once be made to you.

I am, &c.

EDWARD WINGFIELD.

No. 30.

LIEUTENANT-GOVERNOR WAY to MR. CHAMBERLAIN.
(Received September 8, 1895.)

TELEGRAPHIC.

Four thousand pounds, no allowances with exception of furnished house and gardeners.

No. 31.

COLONIAL OFFICE to SIR T. FOWELL BUXTON.

SIR,

Downing Street, September 9, 1895.

WITH reference to the letter from this Office of the 7th instant,|| I am directed by Mr. Secretary Chamberlain to transmit to you the accompanying copy of a telegram¶ received from the Officer Administering the Government of South Australia, stating the amount of salary and allowances that will be attached to the governorship of the Colony in the event of the Bill which is shortly to be introduced passing both Houses of the Legislature.

I am, &c.

R. H. MEADE.

* No. 25.

† No. 27.

‡ No. 26.

§ No. 28.

|| No. 29.

¶ No. 30.

COLONIAL REPORTS.—MISCELLANEOUS.

No. 4.

CANADA.

Memorandum by the Canadian Minister
of the Interior upon the Advantages
offered by the several Provinces of
Canada to Various Classes of Emigrants.

Presented to both Houses of Parliament by Command of Her Majesty.
April 8, 1895.



LONDON:
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1895.

[C.—7697.]

COLONIAL REPORTS.

The following, among other, Reports relating to Her Majesty's Colonial Possessions have been issued, and may be obtained for a few pence from the sources indicated on the title page :—

ANNUAL.

No.	Colony.	Year.
100	British Bechuanaland - - - - -	1892-93
101	British Guiana - - - - -	"
102	Newfoundland - - - - -	1892
103	Jamaica - - - - -	1892-93
104	Victoria - - - - -	1892
105	Bermuda - - - - -	1893
106	Gambia - - - - -	"
107	Hong Kong - - - - -	"
108	St. Vincent - - - - -	"
109	Gibraltar - - - - -	"
110	Bahamas - - - - -	"
111	Turks and Caicos Islands - - - - -	"
112	Leeward Islands - - - - -	"
113	Barbados - - - - -	"
114	Malta - - - - -	"
115	Zululand - - - - -	"
116	British Honduras - - - - -	"
117	Trinidad and Tobago - - - - -	"
118	Falkland Islands - - - - -	"
119	Rodrigues - - - - -	"
120	Mauritius - - - - -	"
121	Straits Settlements - - - - -	"
122	Labuan - - - - -	"
123	Basutoland - - - - -	1893-94
124	St. Lucia - - - - -	1893
125	St. Helena - - - - -	"
126	Ceylon - - - - -	"
127	Fiji - - - - -	"
128	Grenada - - - - -	"
129	Sierra Leone - - - - -	"
130	British Bechuanaland - - - - -	1893-94
131	British New Guinea - - - - -	1892-3 & 1893-4
132	Lagos - - - - -	1893

MISCELLANEOUS.

No.	Colony.	Subject.
1	Gold Coast - - - - -	Economic Agriculture.
2	Zululand - - - - -	Forests.
8	Sierra Leone - - - - -	Geology and Botany.

No. 4.

CANADA.
EMIGRATION.

CANADA.—EMIGRATION.

Department of the Interior, Canada,
Ottawa, January 26, 1895.

THE following information, pointing to the advantages offered by the different Provinces of Canada to various classes of emigrants, has been compiled, for transmission, through the proper channel, to Her Majesty's Secretary of State for the Colonies, for the information of Her Majesty's Government and of the public of Great Britain and Ireland. The classes of people that are recommended to come to Canada are first indicated, and the openings that exist for them in the various provinces are then set forth as concisely as possible.

Persons with Capital.

The first great demand is for practical men with some capital at their disposal, for which class there are unlimited openings. They can engage in agricultural pursuits, taking up free-grant lands, or purchasing the improved farms to be found in advantageous positions in every province; or in mining, or in the manufacturing industries, or, if possessed of a settled income, living will be found to be cheap in Canada, and the country offers the additional benefits of a fine healthy climate, magnificent scenery, abundant opportunities for sport, and facilities for educating children and placing them in life not to be excelled anywhere.

Agriculturists.

Persons of small capital and knowledge of farming often desire to enter upon agricultural pursuits. Before this is done, experience should be acquired by hiring out as a labourer, or in some other way. The necessary experience having been obtained, a farm may be either rented, purchased, or taken up as a free grant.

Tenant Farmers.

For tenant farmers the country offers many advantages. Improved farms are cheap; free grants can be obtained by those

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EMIGRATION.

prepared for the temporary inconvenience of pioneer life ; the soil is fertile, the climate insures the growth of all crops produced in Great Britain, and all the smaller fruits grow and ripen in the open air, as in many parts of the country do grapes, peaches, tomatoes, and melons. There is a large and growing demand in the Dominion, and in the mother country, for all the cereals, fruits, live stock and general farm and dairy produce available for disposal, while taxes are light, and, labour-saving appliances are cheap, and in general use.

Young Men desiring Agricultural Experience.

The question is often asked if it is essential for young men wishing to take up farms in Canada, but desiring before doing so to acquire a knowledge of agriculture, to pay premiums for that purpose. It may be plainly stated that no premiums are necessary and it is advised that none be paid. Strong and healthy young men from 16 to 21 years of age, who are prepared to accept for a time the hard work and surroundings more or less inseparable from a farm labourer's life, have no difficulty in getting employment in the spring, and the agents of the Government in Canada will assist them as far as possible in doing so without charge, although, of course, without accepting any direct responsibility. Being without experience, they will not get much wages at first, in addition to their board and lodging, but as they acquire skill they will be able to command remuneration in proportion to the value of their work.

Male and Female Farm Servants.

There is a large and growing demand for male and female farm servants in every part of the Dominion, owing to the rapidity with which the land is being brought under cultivation. Machinery of various kinds is in daily use, but labour is very scarce notwithstanding, and good hands can always find constant and remunerative employment.

Market gardeners, gardeners, and persons understanding the care of horses, cattle, and sheep, may also be advised to come out, but there is little or no opening for farm managers or bailiffs, Canadian farmers as a rule supervising their own buildings and personally taking part in the work.

Domestic Servants.

In every city, town, and village, female domestic servants can readily find employment. The wages are good, the conditions of service are not irksome, and comfortable homes are assured. There is little or no demand for females other than domestic servants ; governesses, shop assistants, nurses, etc., should not come out unless for the purpose of joining friends who will be able to help them in getting employment.

Other Callings.

Mechanics, general labourers, and navvies are advised to obtain special information as to their respective trades and kinds of work before coming out. The demand for railway employees is not great, and is easily met by the supply in the country. Clerks, shop assistants, telegraphists, draftsmen, &c., are not encouraged to emigrate to Canada, unless proceeding to appointments already assured, or to join friends.

Now, with regard to the particular advantages offered by the various Provinces.

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Prince Edward Island.

Although there is apparently little room for new settlers, yet Prince Edward Island is a desirable field for a certain class of emigrants who, in search of a ready-made farm where they may have the social comforts of life within reach, prefer to pay a higher price to going further westward. Such farms can be obtained in the Island, various circumstances having contributed to place them in the market. The price of the land varies according to its quality, situation and buildings, but a farm of 100 acres, with good buildings, can be obtained for \$20 to \$35 (4*l.* to 7*l.*) an acre. Facilities for travel and transportation are excellent. The roads are good, and few farmers are as much as six miles from a shipping place for their surplus produce. All the necessaries of life can be had at reasonable prices; the soil is rich and fertile, and labour-saving machinery of the most improved kinds can be purchased or hired without difficulty, the competition in this branch being keen. The successful crops raised are wheat, oats, barley, potatoes, and turnips, oats and potatoes being exported in large quantities. It may be added that the Province enjoys a high reputation for its horses, cattle, sheep, and pigs. The fisheries around the coast are also most valuable and extensive.

Nova Scotia.

The climate of Nova Scotia is well suited to Europeans. The fertility of the soil in the agricultural districts is very great, and the production of the farms, even under a more or less perfunctory system of agriculture is equal, and in some cases superior, to those of Great Britain. The grain and root crops are excellent, and the more highly cultivated farms produce astonishing crops.

Live-stock and dairy-farming might and will be more extensively and profitably prosecuted in this Province. Every farmer raises stock, but most of it is intended to supply the markets with butchers' meat. Until recently, not nearly so much attention was paid to butter and cheese as to the raising of cattle for the slaughter-house. In some counties, however, cheese and butter are made in considerable quantities, both for home consumption and for export. Farms along the line of the

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Intercolonial Railway supply the City of Halifax with a large quantity of milk. A great deal of the profit of every farm arises from the sale of fat cattle. There is plenty of first-rate pasturage in every county, and almost the only expense of raising stock is that of the winter-feed, and as that consists chiefly of hay, at a cost or market-value of from 25s. to 40s. per ton, according to locality or season, it will be easily perceived that the business is profitable.

There is much land suitable for sheep-raising in every county, and even among the wild lands there are tracts of pasture that might be made capable of maintaining large flocks at very little expense. In the south-western part of the Province, sheep are pastured along the shores and on the islands most of the winter, and in some places through the whole year.

For all the fruits of the temperate zone, the soil and climate of Nova Scotia are favourable. Fruit-raising at present is confined chiefly to three counties, viz.:—Annapolis, Hants and King's, out of the 18 comprising the Province. Apple-growing has received much attention heretofore, and the crop reaches some 300,000 barrels from the districts referred to, a large part of which is exported. The excellent flavour and the keeping quality of Nova Scotia apples has won for them a high position in the markets of Europe and the United States, and there is legitimate room for a large extension of the present area devoted to that fruit. Plums, cherries, strawberries, raspberries, and tomatoes, give large yields with little attention; and, in addition to the large demand for local consumption, considerable quantities are shipped regularly to New York, Boston, and other towns on the American seaboard. Fruit-growing in Nova Scotia as a rule is conducted in conjunction with mixed farming, the orchards being attached to farms of from 100 to 200 acres. There are always desirable farm properties of this class for sale at from 200*l.* to 1,000*l.*, particularly in the counties that border the Bay of Fundy, so that persons of moderate means are able to find suitable openings.

Although Nova Scotia is perhaps better adapted for a manufacturing country than many other parts of America, owing to an unlimited command of water-power, and its inexhaustible supply of coal and iron, there are few manufactories in comparison with what, considering the facilities, there might be, or what in the near future there may be expected.

The mining industry is also important, and is being rapidly developed, and the value and extent of the business are too well known to need detailed description

New Brunswick.

All who have given the subject proper attention agree in stating that the Province of New Brunswick is particularly well adapted for a system of varied husbandry, combined with cattle-raising and feeding. The pastures are excellent, and the abundant crops

of roots afford the means of raising cattle and sheep of good quality for the Provincial and English markets. That this can be done with profit has been demonstrated beyond a doubt.

A good deal of attention has been given of late to dairying, and with the best results. Trial shipments of butter and cheese have been made to Great Britain and the best prices obtained, and when competition was tried at some of the great exhibitions the highest awards were won.

All garden vegetables, such as cabbage, cauliflower, beet, celery, lettuce, onion, cucumbers, tomatoes, pumpkins, and squash, grow to the greatest perfection.

The fruits of New Brunswick are apples, pears, plums, cherries, gooseberries, strawberries, raspberries, blueberries, and blackberries. Wild grapes grow on all the islands of the St. John River, and butternuts and hazelnuts are abundant in a wild state.

A great deal of attention has been paid of late years, both by the Dominion and by private breeders, to the live stock of the Province, and although there is still great room for improvement, the stock of the best New Brunswick farmers will compare favourably with that of other countries. The Federal Government has established an experimental farm on the borders of New Brunswick and Nova Scotia, in connection with the general system of experimental farms for the whole Dominion, and enough evidence has been obtained to prove that all kinds of vegetables, grain, pulse, &c., are above the average both in yield and quality in that locality.

If a man goes to New Brunswick with sufficient capital, he will have no difficulty in providing himself with a suitable farm. Farms can be purchased of 30 to 200 acres of cleared land, provided with buildings, at prices varying from 100*l.* to 1,500*l.* sterling. The latter sum will purchase a first-class farm, and an excellent farm can frequently be bought for half the money, near railway and water communication. To persons who desire to settle in this Province, and who have money, it is only necessary to look well about them until they find a farm in the market that suits them, and then to buy or rent it with the option of purchase. With prudence and attention to business they are sure to succeed.

To those who wish to emigrate but do not, however, possess enough money to buy a farm, or even to stock it if it was bought, the free grants and Labour Acts passed by the New Brunswick Legislature offer an easy way for them to become landowners, and in the end farmers, perhaps, of independent means. It must be remembered, however, that most of the Crown lands require clearing as a preliminary to cultivation.

Quebec.

The soil of this Province is for the most part found to be extremely rich, and susceptible to the highest cultivation. It is

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adapted to the growth of very varied products. The cereals, hay, roots and grain crops grow everywhere in abundance where they are cultivated. Spring wheat gives an average of about 18 bushels to the acre. Cattle-breeding on a large scale is carried on, and for some years past cattle have been exported in considerable quantities from this Province to the English market. For pasturage, the lands of Quebec are of special excellence, particularly those in the Eastern Townships and north of the St. Lawrence.

Indian corn, hemp, flax, and tobacco are grown in many parts of the Province, and yield large crops.

Parts of the Province of Quebec are especially favourable for the growth of apples and plums. Large quantities of the former are exported, and some of the varieties which are peculiar to the Province cannot be excelled, and they have specialities which cannot, perhaps, be equalled. The small fruits grow everywhere in profusion. Grapes ripen in the open air in the southern and western parts of the Province, and are now beginning to be largely grown.

The Province has yet much room for men and women, and for capital to develop its resources.

Tenant farmers from the old country may find frequent opportunities to purchase improved farms in the Province of Quebec at very reasonable prices, from 4*l.* sterling per acre, including dwelling houses, outbuildings, and fencing. Farms of this description, particularly suited to emigrants from the United Kingdom, may be found in the Eastern Townships.

In the Eastern Townships the settler from the United Kingdom will find good society; ample means for the education of his children, from the primary schools to the University; churches of all denominations; and congenial social conditions.

The Eastern Townships are hilly and well wooded. They abound in small lakes, brooks and rivulets, and in natural springs of fresh water. The grasses are rich, and the conditions are very favourable for the keeping of cattle, sheep and pigs. In the last few years the dairying industry has become most important, and large quantities of butter and cheese are now annually exported. The climate, as well as the soil and shelter, is favourable for fruit-raising; apples are very plentiful; grapes and tomatoes ripen in the open air; and the conditions of life generally are very pleasant.

The manufacturing and mining industries of the Province of Quebec are also considerable.

On the shores of Lake Memphremagog, and in many other parts of the Eastern Townships, very handsome residences have been erected in situations of almost unexampled natural beauty, coupled with very favourable climatic conditions. Comparatively small means would enable a man to obtain an estate in the Eastern Townships in which he might find elements of comfort and natural beauty.

*Ontario.*CANADA.
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Men to work and develop the agricultural and mineral resources are the emigrants Ontario most needs, especially agriculturists. The demand for female domestic servants is always large and steady, but as respects artisans and mechanics, and men required by the numerous manufacturing industries, it is desirable that information should be obtained in advance as to the demand for their own particular kind of labour.

Ontario is rapidly becoming an important manufacturing country. The leading industries are, works for making all kinds of agricultural implements in iron and wood, waggons, carriages, railroad rolling stock, including locomotives, cotton and woollen factories, tanneries, furniture factories, flax mills, iron and hardware works, paper and pulp mills, soap works, wooden ware, &c., The bountiful water supply in Ontario, as well as steam and electricity, are used as motive powers in these manufactories.

Ontario has many varieties of soil, nearly all of which are fertile, and easy of cultivation. The most common are the loams of various kinds, black, clay, and sandy. There are also light and heavy soils, sandy soils, and in some districts marsh and alluvial soils of great depth resting on sandy bottoms.

Hemp, flax, tobacco, and sugar-beet, are profitable crops, in addition to all the well-known cereals, such as wheat, oats, barley, rye, &c.; maize, or Indian corn, and tomatoes ripen well, while in all parts of the Province apples and grapes come to perfection. In the Niagara, Lake Erie, and Lake St. Clair districts peaches ripen in the open air and are produced in immense quantities. The growth of such products forms an unerring index to the character of the climate. Immense quantities of grapes are grown, in Western Ontario especially, and shipped to all the principal markets in the Dominion, or are used in the districts in the production of wine.

Flattering as the foregoing facts are to the Province, its agriculturists are now turning their attention more and more to dairy-farming and stock raising, which have been developed within a few years to an extent that has given surprising and gratifying results, both in illustrating the capabilities of the soil and in proving that such farming is more profitable than the old system.

Fruit-farming, (embracing vine culture), is another branch to which the attention of the intending settler in Ontario should be directed. For many years the apple tree has been steadily growing in importance, and plums, pears, peaches and small fruit of every kind form an important item in the marketable products of many a farm. The fruit region may be described in general terms as extending from the east end of Lake Huron, along Lake Erie to the Niagara River, and including all the counties bordering on Lake Ontario. Although apples may be cultivated with profit in any of the settled portions of the Province, it is only in the southern region above indicated that the fruit culture has, up to this time,

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received much attention, and the success which has attended it has been so encouraging, that vineries, orchards, and fruit-gardens on a large scale are numerous in the Niagara district, and on the same line until the county of Essex is reached, which is regarded as specially adapted for the profitable culture of the vine.

The price of farming lands varies much according to locality. In the neighbourhood of cities and large towns in the old settled districts, it is sometimes as high as 20*l.* sterling an acre, and from that figure it runs all the way down to 2*l.* an acre for partially cleared farms in the newly settled districts in the north-eastern parts of the Province. In speaking of the price of a farm, it is usually rated at so much an acre, including buildings, fences, and all fixed improvements; hence, many of the so-called highly priced farms may carry a charge of 4*l.* per acre on account of the dwelling house, stables, barns, and other outbuildings, which are sometimes very commodious and substantial structures of brick or stone, costing from 600*l.* to 1,000*l.* or more.

The average price for good farms in the best agricultural districts in the old settlements, is from 10*l.* to 15*l.* per acre, and at this rate usually a large amount of the purchase-money may remain unpaid for a term of years, secured by mortgage at a rate of interest not exceeding six per cent. In newer counties, where the land is but partially cleared, and where a half of the farm or more is still in its primitive wooded condition, or in "bush" as it is termed, prices range from 4*l.* to 10*l.* per acre for really good farms in good situations, to still lower figures when the situation and soil are not so favourable.

Free grants of land may be obtained in many parts of Ontario, including the Algoma and Rainy River districts, but they are generally covered with forest and need clearing before cultivation is possible.

Manitoba.

The settler in Manitoba will find schools, colleges, churches, and a kindred society. The social conditions where settlement has taken place leave nothing to be desired.

The soil is a rich, deep, black argillaceous mould or loam, resting on a deep and very tenacious subsoil. It is nearly, if not quite, the richest soil in the world, and is especially adapted for the growth of wheat and for mixed farming. Analyses by chemists in Scotland have established this fact.

Water is found everywhere by digging wells of moderate depth on the prairie. The rivers and coulees are also available for water supply.

All the small fruits are plentiful in Manitoba. The hop grows wild in great luxuriance. Flax is adapted to the soil and climate.

Both the soil and the climate of Manitoba are suitable in a very high degree to the growth of the ordinary roots and

vegetables of the temperate zone. Potatoes yield large crops with the simplest culture. The profusion with which this root grows is a surprise to visitors, and the quality is excellent. The same remark may be made of beets, mangolds, and other roots. Cabbages and cauliflowers grow to large size.

Manitoba offers many advantages for cattle-raising. Cows from the Eastern Provinces thrive and grow fat on the native grasses, and farmers are beginning to pay more attention to the raising of stock, not only in view of the growing importance of the cattle trade, but of the rapidly increasing dairy industry. The very great profusion with which potatoes and barley may be grown has, in conjunction with the dairy industry, led to an increase in the pig-raising industry, and a large trade in pork and pork products is anticipated in the near future.

There is in Manitoba an immense amount of most desirable vacant land awaiting the advent of settlers.

North-West Territories.

The North-West Territories are divided into four provisional districts, named respectively, Assiniboia, Saskatchewan, Alberta, and Athabaska.

Assiniboia offers practically the same advantages to settlers as the Province of Manitoba. The soil is rich and favourable for the production of cereals, roots and vegetables of all descriptions.

The whole region of Saskatchewan is interspersed with clumps of spruce of good growth, furnishing an abundant supply of building timber of the best quality. Clear lakes, generally abounding in fish, are numerous, game is abundant, and the quality of the soil is excellent. Indeed it would be difficult to exaggerate the interesting features of this beautiful region, which is to a considerable extent unoccupied as yet by settlers, and untouched by land corporations. Therefore the emigrant will find in this region a fair field for the exercise of his choice of a home.

It is essentially a wheat-growing country, and, judging from observations spread over a number of years, it may be safely concluded that the wheat raised in this district will compare favourably, both in quality and quantity, with that grown in any other locality in the North-West Territories. Oats and barley are raised here easily with good results, and agricultural roots of all kinds are cultivated successfully. Mixed farming and dairying are very generally followed.

Potatoes, turnips, carrots, mangolds, and beets are sure crops. They all yield well, are of excellent quality, and are particularly free from disease or damage by insects. Garden vegetables do well, and are more or less grown by farmers.

As to stock-raising, no part of the Great North-West can offer superior advantages. The climate, food, and water, are all that can be desired, and during the last five years great progress has been made in that direction, not only so far as numbers are

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concerned, but also in the quality of the stock raised, a large number of thoroughbred animals having been imported.

The district of Alberta may be said to be pre-eminently the dairy region of America. Its cold clear streams, and rich luxuriant grasses, make it a very paradise for cattle. This is at present the ranch country. Numerous ranches have been started, both for horses and neat cattle, and have already assumed positions of great importance. The ranches in some parts also contain numbers of sheep.

The suitability of the district for mixed farming, especially that in which dairying has a large share, is proved by actual results.

The district of Athabasca has vast resources, but being as yet, from its Northern position, out of the range of immediate settlement, a detailed description is at present unnecessary.

The free grant lands in Manitoba and the North-West Territories are administered by the Government of Canada, and the terms on which grants are made can always be learned by British, Irish, and European emigrants, by applying to any of the agents of the Canadian Government.

British Columbia.

In proportion to the area of the Province the amount of land suitable for agricultural purposes in British Columbia is small, but in the aggregate there are many thousands of acres of arable land so diverse in character, location, and climate influences as to be suited to the production of every fruit, cereal, vegetable, plant, and flower known to the temperate zone.

In mineral resources British Columbia is the richest of all Canadian Provinces. Coal is abundant, while gold, silver, iron, copper, galena, mercury, platinum, plumbago, mica, slate, salt, and many other minerals are widely distributed.

The timber resources of the Province are practically inexhaustible; in no part of the Province is there a scarcity of wood.

Persons with capital are always welcomed in every Province of the Dominion, but nowhere are there better prospects for moneyed people than in British Columbia, where there is such a variety of valuable resources awaiting development, and where manufacturing industries are in their infancy.

Agriculturists with, say, 100*l.* and upwards can do well on Government Lands, provided they are able and willing to work, and are prepared for the experiences of pioneer life. With more capital, farms partially improved can be had in most of the districts at 2*l.* per acre and upwards, prices, of course, depending upon location, quality of soil and improvements. Farm labour is generally in demand from early spring to late autumn, and immigrants intending to take up land, can, without much difficulty, get farm work for a time before pre-empting.

The demand for female domestic servants is always active, and is likely to remain so.

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The foregoing is a brief summary of the many inducements offered to settlers by the various Provinces of the Dominion. Throughout the whole Dominion the facilities offered to emigrants by the Government are of the most perfect kind. Agents are established in all parts, who are prepared to give the fullest information on all points of interest to settlers, and to aid them with their advice and experience in the choice of location for homesteads, information as to means of transport, &c. An especial feature of this system is the establishment of Government Employment Bureaus, the object aimed at being to facilitate communication between persons seeking work and those who may have need of their services.

Full and further particulars respecting Canada, the regulations under which free grant and other lands may be acquired in all the Provinces, demand for labour, rates of wages, and information on all other subjects interesting to the intending emigrant, may be obtained by communicating with Sir Charles Tupper, Bart., High Commissioner for Canada, 17, Victoria Street, London, S.W., or with any of the other Agents of the Government of Canada, whose names and addresses are given in all publications relating to the Dominion.

In conclusion the attention of intending emigrants might be drawn to the improved conditions of existence prevailing in Canada. The magnificent scenery, the fine bracing climate, the free and congenial society, combine to make Canada one of the finest countries in the world for emigrants of settled means; and for the man who is able and willing to work, industry and attention to business are always sure to result, if not in wealth, at least in a comfortable competence, and a heritage for his children.

T. MAYNE DALY,
Minister of the Interior,
Canada.

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OF

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27 June 1895.



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Return of Amounts received from Canada since 1877 as Duties collected on Foreign Reprints of British Copyright Works.

						£	s.	d.
Received in 1877 for the year ended 30th June 1876	-	-	-	-	-	135	17	4
„ 1879 „ years „ „ 1877 and 1878	-	-	-	-	-	175	1	6
„ 1881 „ „ „ „ 1879 and 1880	-	-	-	-	-	*150	18	0
„ 1883 „ „ „ „ 1881 and 1882	-	-	-	-	-	*127	19	1
„ 1885 „ „ „ „ 1883 and 1884	-	-	-	-	-	*106	6	2
„ 1887 „ „ „ „ 1885 and 1886	-	-	-	-	-	*420	5	4
„ 1888, 1889, and 1890 }	„	„	„	„	1887, 1888, and 1889	£	s.	d.
						1,113	18	0
					Deducted by the Colony for collection expenses	55	13	10
„ 1891 „ year ended 30th June 1890	-	1,021	8	5 $\frac{1}{4}$		1,058	4	2
					Deducted by the Colony for collection expenses	51	1	5 $\frac{1}{4}$
							970	7 0
„ „ „ „ 30th June 1891	-	967	15	9				
					Deducted by the Colony for collection expenses	48	7	9
							919	8 0
„ 1893 „ „ 30th June 1892	-	603	17	9 $\frac{3}{4}$				
					Deducted by the Colony for collection expenses	30	3	10 $\frac{3}{4}$
							573	13 11
„ 1894 „ „ 30th June 1893	-	383	10	8				
					Deducted by the Colony for collection expenses	19	3	6
							364	7 2
„ 1895 „ „ 30th June 1894	-	294	5	11				
					Deducted by the Colony for collection expenses, &c.	18	4	7
							276	1 4
							5,278	9 0

* See Parliamentary Paper, No. 398 of 1890.

CANADA.

CORRESPONDENCE

ON THE SUBJECT OF THE

LAW OF COPYRIGHT IN CANADA.

Presented to both Houses of Parliament by Command of Her Majesty.
June 27, 1895.



LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

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1895.

[C.—7783.] *Price 1s. 1d.*

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1	Act of the Dominion Parliament.	May 2	An Act to amend "The Copyright Act" - -	1
2	Lord Stanley of Preston.	Aug. 16 (Rec. Sept. 2.)	Transmits copy of a minute of the Privy Council asking that Her Majesty's Government will denounce the Berne Convention on behalf of Canada.	2
3	Do. - -	Aug. 26 (Rec. Sept. 7.)	Transmits copy of a report by the Minister of Justice on the recent Act of the Dominion Parliament to amend the Copyright Act.	3
4	Do. - -	Aug. 31 (Rec. Sept. 16.)	Reports that all facilities will be given to Mr. Daldy, Hon. Secretary of the Copyright Association, for explaining his views to the Colonial Government.	9
		1890.		
5	F. R. Daldy, Esq. -	Feb. 22	Transmits copy of a letter to Sir John Thompson, Minister of Justice for Canada, suggesting that the Canadian Act of 1889 should be dropped, and submits arguments in support of the proposal.	9
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7	Do. - -	Mar. 25	Enquires whether his ministers propose to repeal the Copyright Amendment Act, or whether they wish it to be submitted for formal disallowance.	13
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12	Board of Trade -	Aug. 16	Observes that the Canadian Act is against the interests of British authors, and should not receive favourable answer, but that the Board will be prepared to consider whether it might not be possible to withdraw the privilege of copyright from citizens of States not parties to the International Convention.	28
13	Lord Stanley of Preston.	Aug. 18 (Rec. Sept. 1.)	Transmits a minute of the Privy Council concurring in the views expressed in Sir John Thompson's letter of 14th July.	29

Serial No.	From or to whom.	Date.	Subject.	Page.
		1890.		
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1891.		
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29	Board of Trade -	Jan. 11	Transmits copy of a letter from the Foreign Office concurring in the suggested appointment of a Departmental Committee, and asks if Colonial Office concurs.	42
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1894.		
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60	To Copyright Association (F. R. Daldy, Esq.).	May 12	States that the communications from the Dominion Government on the subject of copyright in Canada are being referred to the Committee appointed to consider the Canadian Copyright Act of 1889, and that his Lordship will be glad to refer any observations on the subject to that Committee.	83
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1894.		
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68	The Society of Authors.	June 14	Requests permission to lay the correspondence communicated by the Colonial Office before a representative committee which has been formed to watch the question of Canadian Copyright.	86
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70	To the Society of Authors.	June 26	Conveys thanks for the Society's letter of 19th June.	88
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1894.		
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81	To Foreign Office and Board of Trade.	Sept. 13	Transmits copies of correspondence between Mr. F. R. Daldy and the Canadian Prime Minister.	92
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86	To the London Chamber of Commerce.	Nov. 17	States that the wishes of the Chamber will be borne in mind.	103
87	Copyright Association	Nov. 17	States that a deputation will be arranged for the date fixed in Colonial Office letter.	103
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89	Mr. R. E. Bray -	Nov. 27 (Rec. Decr. 10.) Extract.	Urges Her Majesty's Government not to comply with the wishes of the Dominion Parliament, which does not represent the Canadian people in this matter.	107
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		1895.		
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Serial No.	From or to whom.	Date.	Subject.	Page.
		1895.		
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98	To Board of Trade -	April 9	Transmits copy of a letter from the Society of Authors, with draft of a reply thereto.	113
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101	To the Earl of Aberdeen.	April 20	Conveys the thanks of the Secretary of State for the ready compliance of Ministers with his wishes in the matter of the deposit of books in the British Museum.	114
102	Board of Trade -	April 22	Concurs in draft enclosed in Colonial Office letter of 9th April.	114
103	To the Society of Authors.	May 11	Observes that the petition will be forwarded to the Dominion Government, who will doubtless give all due consideration to the views expressed, which, however, go much further than those set forth in the Society's letters of 3rd November 1890 and 9th December 1892.	114
104	To Foreign Office and Board of Trade.	May 16	Transmits copy of letter of 11th May to Society of Authors.	115
104a	To the Earl of Aberdeen.	May 18	Forwards copy of a petition from authors and others interested in the question against the Canadian Act of 1889.	115
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106	The London Chamber of Commerce.	May 31	Requests that the Chamber may be represented at any conference with Mr. E. L. Newcombe, who it is understood is coming over to discuss the question on behalf of the Canadian Government.	120
107	The Copyright Association.	June 5	Asks that the Association may be represented at, and may take part in, any conference with the representative of the Canadian Government.	120
108	To the London Chamber of Commerce and the Copyright Association.	June 12	States that it will not be possible to admit any representatives of the Chamber and the Association to the conferences with the Canadian delegate, but that any further representations will receive full consideration.	120
109	The Earl of Aberdeen.	June 5 (Rec. June 19.)	Reports that his Ministers have authorised Mr. E. L. Newcombe, the Deputy Minister of Justice, to proceed to London to discuss the copyright question with Her Majesty's Government.	121

Serial No.	From or to whom.	Date.	Subject.	Page.
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111	To the Earl of Aberdeen.	June 20	Transmits copies of Nos. 105 and 110 - -	122
112	Do. - -	June 24 (Telegraphic.)	Observes that Mr. Newcombe had better not leave at once as discussion cannot conveniently take place until the new Imperial Government has completed its arrangements.	122

CORRESPONDENCE

ON THE SUBJECT OF THE

LAW OF COPYRIGHT IN CANADA.

No. 1.

52 VICTORIA, CHAP. 29.

AN ACT to amend "The Copyright Act," Chapter sixty-two of the Revised Statutes.
[Assented to 2nd May 1889.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Sections four and five of "the Copyright Act" are hereby repealed and the following substituted therefor:—

"4. Any person domiciled in Canada or in any part of the British possessions, or any citizen of any country which has an international copyright treaty with the United Kingdom, in which Canada is included, who is the author of any book, map, chart or musical or literary composition, or of any original painting, drawing, statue, sculpture or photograph, or who invents, designs, etches, engraves or causes to be engraved, etched or made from his own design, any print or engraving, and the legal representatives of such person or citizen, shall have the sole and exclusive right and liberty of printing, reprinting, publishing, reproducing and vending such literary, scientific, musical or artistic works or compositions, in whole or in part, and of allowing translations to be printed or reprinted and sold of such literary works, from one language into other languages, for the term of twenty-eight years from the time of recording the copyright thereof in the manner and on the conditions, and subject to the restrictions herein-after set forth.

Sections 4 and 5 of R.S., c. 62, repealed; new section. Who may obtain copyright.

Translation. Term of copyright.

"5. The conditions for obtaining such copyright shall be that the said literary, scientific, musical or artistic work shall, before publication or production elsewhere, or simultaneously with the first publication or production thereof elsewhere, be registered in the office of the Minister of Agriculture, by the author or his legal representatives, and further that such work shall be printed and published or produced in Canada, or reprinted and republished or reproduced in Canada, within one month after publication or production elsewhere; but in no case shall the sole and exclusive right and privilege in Canada continue to exist after it has expired in the country of origin,

Conditions for obtaining copyright.

Proviso.

"2. No immoral, licentious, irreligious, or treasonable or seditious literary, scientific, or artistic work shall be the subject of such registration or copyright.

Exception.

"3. If any such copyright work has been reprinted previously to the coming into force of this Act, any person who has, previously to such date, imported any foreign reprints, may dispose of such reprints by sale or otherwise; but the burden of proof of establishing the extent and regularity of the transaction shall, in such case, be upon such person.

Reprints previously imported may be sold.

"4. In the case of any person who has contracted, previously to the coming into force of this Act, to supply any reprint of any work, either in its complete state or by serial numbers, of which work copyright has been obtained either in the United Kingdom or any such country as aforesaid, but not in Canada, such person shall be entitled to complete such contract, and, subject to the provisions of the Acts respecting duties of Customs, to import the same; but the burden of proof of establishing the extent and regularity of the transaction shall, in such case, be upon such person."

Previous contract for supplying reprint may be fulfilled.

2. Section six of the said Act is hereby repealed.

Section 6 repealed.

3. If the person entitled to copyright under the said Act as hereby amended fails to take advantage of its provisions, any person or persons domiciled in Canada may obtain from the Minister of Agriculture a license or licenses to print and publish or to produce the work for which copyright, but for such neglect or failure, might have been obtained ; but no such license shall convey exclusive rights to print and publish or produce any work.

2. A license shall be granted to any applicant agreeing to pay the author or his legal representatives a royalty of ten per centum on the retail price of each copy or reproduction issued of the work which is the subject of the license and giving security for such payment to the satisfaction of the Minister.

4. The royalty provided for in the next preceding section shall be collected by the officers of the Department of Inland Revenue, and paid over to the persons entitled thereto, under regulations approved by the Governor in Council, but the Government shall not be liable to account for any such royalty not actually collected.

5. Whenever under the foregoing provision of this Act a license has been issued permitting the printing and publishing or the producing of any work, and evidence has been adduced to the satisfaction of the Governor in Council that such work is in course of being printed and published or produced in such manner as to meet the demand therefor in Canada, the Governor General may, by proclamation published in the "Canada Gazette," prohibit the importation, while the author's copyright or that of his assigns is in force, subject to the provisions herein-after contained, of any copies of reproductions of the work to which such license relates ; but if at any time thereafter it is made to appear to the Governor in Council that such work is not, under such license, printed and published or produced in such manner as to meet such demand, the Governor General may, by proclamation published as aforesaid, revoke such prohibition.

6. Nothing in this Act contained shall be deemed to prohibit the importation from the United Kingdom of copies of works of which the copyright is there existing and which are lawfully printed and published there, nor shall anything in this Act contained be deemed to apply to any work for which copyright has been obtained in the United Kingdom or in any such country as aforesaid before the coming into force of this Act ; but the law in force at the time of the coming into force hereof shall be deemed to be still in force as respects such works.

7. The foregoing provisions of this Act shall come into force on a day to be named by proclamation of the Governor General.

No. 2.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.
(Received September 2, 1889.)

MY LORD, *original which has been forwarded to the Governor General* The Citadel, Quebec, August 16, 1889.

I HAVE the honour to forward, herewith, a copy of an approved Report of a Committee of the Privy Council concurring in a recommendation of the Minister of Agriculture, that in virtue of the reservation contained in Article I. of the Proces-Verbal of signature, Her Majesty's Government may be moved to announce the denunciation by Canada, for the reasons specified by the Minister, of the Convention concerning the creation of an International Union for the Protection of literary and artistic works, signed at Berne, September 9th, 1886, and further, under the authority of Section 9 of the Imperial International Copyright Act, 1886, to pass an Order in Council to declare that the Berne Convention shall not be held to apply to the Dominion after the termination of one year from the date of such declaration.

I have, &c.
STANLEY OF PRESTON.

Enclosure in No. 2.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the GOVERNOR-GENERAL IN COUNCIL, on the 11th August 1889.

On a memorandum dated 27th July 1889, from the Minister of Agriculture; recommending in respect to the Convention concerning the creation of an international union for the protection of literary and artistic works commonly known as the Berne Convention, in virtue of the reservation contained in Article 1, of the Procès-Verbal of signature, that Her Majesty's Government be moved to announce the denunciation of such Convention by the Dominion of Canada for the following reasons:—

- a. That its provisions do not accord with those of the Canadian Copyright Act, passed ~~much~~ at the last session of Parliament.
- b. That it is not in accordance with the requirements of Canada.
- c. That it is a limitation of the privileges to Canadian publishers conferred by the Canadian Copyright Act of 1875, approved by Imperial legislation.

The Minister states that under the existing Canadian law, sanctioned as stated by Imperial legislation, copyright is granted in Canada on the condition of printing in Canada, to any subject or citizen of any country which has an international copyright treaty with the United Kingdom.

It therefore follows that, in so far as relates to the principal consideration, the securing of copyright, the authors of all the countries parties to the Berne Convention can easily obtain it in Canada.

The Minister further recommends that Her Majesty's Government in virtue of the authority granted by Section 9 of the Imperial International Copyright Act, 1886, be moved to pass an Order in Council to declare that the Berne Convention shall not be held to apply to the Dominion of Canada after the termination of one year from the date of such declaration in accordance with the provisions of Article 20 of such Convention.

The Committee concur in the foregoing recommendations and advise that your Excellency be moved to transmit a copy of this minute to the Right Honourable the Secretary of State for the Colonies for action as herein requested.

JOHN J. MCGEE,
Clerk, Privy Council.

No. 3.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.
(Received September 7, 1889.)

MY LORD, ~~and~~ The Citadel, Quebec, August 26, 1889.

I HAVE the honour to transmit to your Lordship a copy of an approved Minute of the Privy Council submitting a report of the Minister of Justice with reference to the Act* of the last Session of the Dominion Parliament to amend the Copyright Act (Chapter 62, Revised Statutes of Canada).

I have, &c.

STANLEY OF PRESTON.

Enclosure in No. 3.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by his Excellency the GOVERNOR-GENERAL IN COUNCIL, on August 17, 1889.

The Committee of the Privy Council have had under consideration a report dated August 3rd, 1889, from the Minister of Justice with reference to the Act of the last

Session of the Parliament of Canada to amend the Copyright Act (Chapter 62, Revised Statutes of Canada).

The Committee concur in the said report (annexed) and advise that your Excellency be moved to forward a copy hereof to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,
Clerk, Privy Council.

To his Excellency the GOVERNOR-GENERAL IN COUNCIL.

1. In reporting to your Excellency that the Act passed at the last Session of the Parliament of Canada, entitled, "An Act to amend the Copyright Act," (Chapter 62, Revised Statutes) might properly receive your Excellency's assent, the undersigned intimated that the Act would be made the subject of a more extended report, and he now respectfully presents to your Excellency the following observations in pursuance of that intimation :—

2. The Act contains a provision that it shall not come into force until proclaimed by your Excellency, and there was not, and is not, any intention on the part of your Excellency's Government, to advise the issue of a proclamation bringing it, into force until it has been submitted to Her Majesty's Government, with the explanations which your Excellency's advisers can present, and until Her Majesty's Government shall concur in the issue of the proclamation.

3. The concurrence of Her Majesty's Government has been considered necessary because the Act deals with a subject on which Imperial legislation extending to all Her Majesty's possessions now exists, and in respect to which it is not desired by your Excellency's Government that a measure should be adopted which would conflict with the policy which Her Majesty's Government has hitherto pursued excepting in so far as the important interests involved in Canada urgently require, and excepting from a date before which any necessary preliminary arrangements can be concluded in order to prevent confusion and surprise. Moreover, the fact that the Imperial legislation adopting the Berne Convention on the subject of Copyright extends to all Her Majesty's possessions (and must continue to extend to Canada until the expiration of a year from notice of denunciation), makes it necessary that, before the proclamation should be issued, Her Majesty's Government should be asked to give the notice of denunciation on behalf of Canada, and that a year's delay should elapse after that notice, and that before the Act of last Session can be given effect to an Order of Her Majesty's in Council be obtained releasing Canada from the operation of the Statute which makes the Berne Convention operative throughout the Empire. The request on the part of the Government of Canada for the notice of denunciation of the Berne Convention has already been, or is now about to be, transmitted, and the duty of the undersigned is, therefore, limited to an explanation of the reasons which induced the adoption of the Act of last session, and a statement of the principles on which such legislation can, in his view, be sustained.

4. For reasons which will not be dilated on at length in this report, the copyright system heretofore in force (under Imperial and Canadian legislation) has been found to be most unsuitable to Canada and the Berne Convention is found to increase the causes of complaint which previously existed.

5. The copyright law in force in Canada (of which the Act of last session was an amendment) irrespective of the International Copyright Act of 1886, which gives effect to the Berne Convention, consists, as has been intimated, partly of Imperial and partly of Canadian legislation.

6. Under it every work copyrighted in Great Britain had copyright protection without the requirement of publication in Canada. Under the protection of this system United States authors secure copyright in Great Britain and her possessions by publishing in England (sometimes by publishing a limited edition, not intended to supply the market and not sufficient therefore), and thus secure control of the Canadian market, while a Canadian cannot obtain such copyright privileges in the United States.

7. The rights which British authors and publishers have in British possessions under this condition of the law have been greatly abused by the sale of their copyright privileges to American publishers, and their refusal to sell to Canadian publishers on like terms. By this means United States publishers have been enabled to command the Canadian market under the provisions of legislation which were not intended for their benefit, but for the benefit of the British author and publisher. The prices of American reprints are

so low that the British publications have no chance of competing with them in Canada, and Canadian reprints being prohibited by the copyright law, the business of reprinting for Canadian readers is thus, to a great extent, thrown into the hands of American publishing houses, to the very great detriment of the publishing interests of Canada.

8. By the legislation of last session it is proposed that the persons having copyright under Imperial legislation or under any treaty arrangement with Great Britain may preserve the exclusive right as to Canada by publishing or republishing in this country within a certain time, and that if he does not so publish or republish his copyright shall still avail him to the extent of enabling him to collect a royalty on all republications made in Canada by any other person.

9. The evils before mentioned which have occasioned complaint will be augmented by the provisions of the Berne Convention, which extends the copyright privileges without publication in British possessions to authors of any country which has joined, or may join, the Copyright Union formed by that Convention.

10. For the benefit conferred on Canadian authors (who are comparatively a very limited class) of copyright in the countries comprised in the Berne Convention Union the business of publishing in Canada will be repressed as to works published in all these countries, and the United States publishers will be free from any restrictions of that kind, not only as to the vast markets of their own country, but as to Canada as well.

11. Parliament considered that the peculiar position in which Canada is placed on account of her proximity to the United States, and the copyright policy of the United States, demand peculiar treatment in legislation on this subject, and treatment different from both the Berne Convention and from the Imperial and Canadian Copyright Acts heretofore in force. The Canadian Parliament has on more than one occasion expressed this opinion, and did so emphatically at its last session by unanimously passing the Act now under consideration.

12. If it should seem to Her Majesty's Government that further explanations are needed to convince them of the expediency of the proposed change, or of the necessity of the Act of last session being allowed to go into operation, he trusts that a further opportunity will be afforded of making those explanations, as abundant material exists therefor in the experience of all who are interested in the publishing business in Canada.

13. The undersigned submits that the royalty provision of the Act of last session in favour of the holder of the British copyright is reasonable, and affords ample facilities for collection. The Government of Canada will be prepared to submit to Her Majesty's Government the regulations which may be adopted under the Act for securing the collection of the royalty and the payment thereof to the proper parties.

14. It only remains for the undersigned to observe, as regards the policy of permitting republication in Canada in consideration of such a royalty in favour of the holders of the copyright out of Canada, that under existing legislation the importation of foreign reprints into Canada is permitted on the imposition of a Customs duty in favour of the copyright holder.

15. The Act of last session will make the same provision in favour of the Canadian publisher, but under regulations which will restrain the influx of foreign reprints and afford a better means of collecting the compensation to the copyright holder.

16. The undersigned has reason to apprehend that a question may be raised as to the power of the Parliament of Canada to pass the Act in question, because he is aware that previous legislation on this subject has been stated to require the sanction of the Imperial Parliament, and because that view has been based on very eminent legal authority. On that subject he begs to present the following considerations.

17. The Act in question is understood not to conflict in any way with any Imperial legislation passed since the adoption of the British North America Act, 1867.

18. For that reason, as has been already intimated, no Proclamation will be issued bringing the Act into force until after the Imperial Copyright Act of 1886 giving effect to the Berne Convention ceases to be applicable to Canada.

19. The remaining question, therefore, simply is as to the right of the Parliament of Canada under the British North America Act to make regulations in Canada regarding copyright in Canada, notwithstanding that these regulations may differ from those existing under Imperial legislation adopted prior to the British North America Act.

20. The view which the undersigned respectfully presents is, that, as regards all those subjects in respect of which powers were given to the Canadian Parliament by the British North American Act, the true construction of the British North America Act is that Parliament may properly legislate without any limitation of its competency, except-

ing the limitation which Her Majesty can always impose by disallowance (whether the Act be within the powers of Parliament or not), and excepting also as to control by Imperial legislation subsequent to the British North America Act and applicable to Canada. As to this latter it may be considered, in so far as it deals with the subjects given to the Parliament of Canada, as amendatory to the British North America Act.

21. One of the subjects over which power was given to the Parliament of Canada to legislate by the British North America Act was "copyright." See section 91.

22. When in 1872 the Parliament of Canada passed an Act respecting copyright in pursuance of this section of the British North America Act the Act was reserved for Royal Assent, and Lord Carnarvon in a Despatch, dated 15th June 1874, stated to the Earl of Dufferin, one of your Excellency's predecessors, that he had been unable to advise Her Majesty to assent to the Act, and that he had taken the advice of the Law Officers of the Crown on the subject.

23. Lord Carnarvon in that Despatch intimates that the 91st section of the British North America Act, above referred to, is to be interpreted by one of the headings which appear in the statute, namely, "Distribution of legislative powers," and he almost seems to incline to the opinion that the 91st section, on which all the power of the Parliament of Canada depends, is intended to withdraw the powers from the provincial Legislatures, and not to confer any substantial authority on the Parliament of Canada.

24. If that view would be correct, the British North America Act would simply have been a withdrawal from the Legislatures of the various provinces which were thereby united of a large portion of the authority which they had possessed ever since representative institutions were conferred upon them; and it is difficult to see that any authority is conferred upon the Parliament of Canada, or that that Parliament has now the powers which belong to the Parliaments of all other self-governing Colonies.

25. Lord Carnarvon, however, after making in effect the statement that the 91st section of the British North America Act is merely a part of a scheme for the distribution of legislative powers, and is not to be considered, as it always has been regarded and interpreted by the courts as well as by Her Majesty's Government, as the gift of legislative power to Canada, proceeds to say that the effect of the Imperial Act (British North America Act) is "to enable the Parliament of Canada to deal with Colonial " copyrights within the Dominion," and "it is clear that it was not contemplated to " interfere with the rights secured to authors by the Act of 5 and 6 Vict., or to override " the provisions of that Act."

26. It may be said, in referring to this observation, that neither the Act of 1872 nor the Act of last Session did anything more than deal with colonial copyrights.

27. It is claimed that the British North America Act, section 91, gave the Parliament of Canada, power as full as that possessed by the Imperial Parliament to say who should, and who should not, have copyright within the Dominion; and, as regards the observation that it was not contemplated to interfere with the rights secured to authors by the Imperial Act, all objection under that head may be dispensed with because the Act of last Session will not affect any rights which have been secured before it shall come into operation.

28. The undersigned cannot advance the foregoing views without extreme deference, because he finds that Lord Carnarvon's Despatch intimates that in the opinion which his Lordship expresses he is supported by the Law Officers of the Crown, and also by those eminent lawyers the present Lord Selborne and the present Lord Herschell, whose report he laid before Parliament in 1872.

29. In the face of such eminent authorities he would hardly venture to press upon the attention of Her Majesty's Government the view of the Canadian Government which he has above presented if it were not to his mind perfectly plain that the people of Canada would hold him culpable if he failed to assert what was the only interpretation under which they received the Constitution and under which they were willing to be content with that Constitution.

30. If the 91st section of the British North America Act has not conferred on the Parliament of Canada all the powers of the Parliament of the United Kingdom in respect to the subjects there enumerated, the gift of powers made by that Act is delusive in respect to the Canadian Parliament, and is less than the gift of powers which the provincial Legislatures previously enjoyed regarding the same subjects.

31. The undersigned is encouraged to state this opinion not only because it has been supported by the Canadian Parliament, and because it agrees with the understanding of the Canadian people on the subject from the first, but because the same view has been upheld, he ventures to submit, by the Judicial Committee of Her Majesty's

Privy Council, on more than one occasion since the Despatch of Lord Carnarvon in 1874.

32. Before referring to the decisions of that tribunal, however, he would advert to the opinion presented to Lord Carnarvon in 1872 from the two Law Officers already named. In that opinion the view is stated that the powers of Parliament are exclusive only so far as relates to the Legislatures of the provinces of which Canada is composed. This view it is not intended to controvert.

33. It has never been claimed that the powers of the Parliament of Canada are exclusive of the powers of the Parliament of Great Britain, and nobody can doubt that the Parliament of Great Britain can at any time, limitations of good faith and national honour not being considered, repeal or amend the British North America Act or exercise, in relation to Canada, its legislative power over the subjects therein mentioned. Subject to the same limitations, Her Majesty's Government can, of course, disallow any Act of the Parliament of Canada.

34. It is respectfully submitted that the Canadian Parliament except as to the control which may be exercised by the Imperial Parliament by a statute subsequent to the British North America Act, and except as to the power of disallowance, possesses unlimited power over all the subjects mentioned in the 91st section, and that it is necessary that it should do so for the well-being of Canada, and for the enjoyment of self-government by its people.

35. In the case of *Hodge v. the Queen* (9 Appeal Cases, 117), decided by the Judicial Committee of the Privy Council in 1883, the following passage declares:—

“When the British North America Act enacted that there should be a Legislature for Ontario, and that its Legislative Assembly should have exclusive authority to make laws for the province and for provincial purposes in relation to the matters enumerated in section 92, it conferred not in any sense to be exercised by delegation from or as agents of the Imperial Parliament, but authority as plenary and as ample within the limits prescribed by section 92 as the Imperial Parliament in the plenitude of its power possessed and could bestow.

“Within these limits of subjects and area the local legislature is supreme and has the same authority as the Imperial Parliament or the Parliament of the Dominion would have had under like circumstances to confide to a municipal institution or body of its own creation authority to make byelaws or resolutions as to the subjects specified in the enactment, and with the object of carrying the enactment into operation and effect.”

36. In the case of *Harris v. Davies* (10 Appeal Cases, 279), the Judicial Committee of the Privy Council decided in 1885, that the Legislature of New South Wales under a charter not wider than the British North America Act had power to repeal a Statute of James (21 Jas I., c. 16, s. 6), and had impliedly done so by 11 Vict., c. 13, s. 1, of that Colony, which, according to its true construction, placed an action for words spoken upon the same footing as regards costs and other matters as an action for written slander.

37. In the case of *Powell v. Apollo Candle Committee* [? Co.] (Limited), (10 Appeal Cases, 282), the Judicial Committee decided in the same year, that a Colonial Legislature within the area of its powers is unrestricted. The following passage from the judgment is pertinent to the present question:—

“Two cases have come before this Board in which the powers of Colonial Legislatures have been a good deal considered, but these cases are of too late a date to have been known to the Supreme Court when their judgment was delivered. The first was the case of *Reg. v. Burah* in which the question was whether the section of an Indian Act conferring upon the Lieutenant-Governor of Bengal the power to determine whether the Act, or any part of it, should be applied to a certain district, was, or was not, *ultra vires*. In the judgment of this Board, given by the Lord Chancellor, the legislation is declared to be *intra vires*, and the Lord Chancellor lays down the general law in these terms: ‘The Indian Legislature has powers expressly limited by the Act of the Imperial Parliament which created it, and it can, of course, do nothing beyond the limits which circumscribe these powers.’

“But when acting within those limits it is not in any sense an agent or delegate of the Imperial Parliament, but has, and was intended to have, plenary powers of legislation, as large, and of the same nature as those of Parliament itself. The same doctrine has been laid down in a later case of *Hodge v. The Queen* where the question arose whether the Legislature of Ontario had, or had not, the power of intruding to a local authority, a Board of Commissioners, the power of enacting regulations with regard to their Liquor License Act of 1877, of creating offences for the breach of those regulations and

annexing penalties thereto. Their Lordships held that they had that power. It was argued then, as it has been argued to-day, that the local legislature is in the nature of an agent or delegate, and on the principle *delegatus non potest delegare*, the local Legislature must exercise all its functions itself, and can delegate or instruct none of them to other persons or parties.

"But the judgment, after reciting that such had been the contention, goes on to say: It appears to their Lordships, however, that the objection thus raised by the appellants is founded on an entire misconception of the true character and position of the provincial Legislature.

"They are in no sense delegates of, or acting under any mandate from, the Imperial Parliament. When the British North America Act enacted that there should be a Legislature for Ontario, and that its Legislative Assembly should have exclusive authority to make laws for the province and for provincial purposes in relation to the matters enumerated in section 92, it conferred powers, not in any sense to be exercised by delegation from, or as agents of, the Imperial Parliament, but authority as plenary, as ample, within the limits prescribed by section 92, as the Imperial Parliament in the plenitude of its power possessed or could bestow, within these limits of subjects and areas the local Legislature is supreme, and has the same authority as the Imperial Parliament."

38. The case of *Riel v. the Queen*, decided by the same tribunal in the same year, is likewise pertinent. There had been three Imperial statutes for the regulation of the trial of offences in Rupert's Land, since known as the North-West Territories of Canada.

39. The statutes of Canada made other provisions inconsistent with these statutes, and the conviction of the prisoner had taken place under the statutes of Canada. The Lords of the Judicial Committee declined to admit an appeal, entertaining no doubt as to the correctness of the conviction.

40. The opinion of Lord Carnarvon seems to have been based on a strict view taken of the Imperial statute known as "the validity of Colonial Laws Act" (28 & 29 Vic. c. 63), which declared that Colonial statutes should be void and inoperative if they should be repugnant to the provisions of any Act of Parliament extending to the Colonies, or repugnant to the provisions of any order or regulation made under the authority of such Act, and having in such Colony the force and effect of such Act.

41. There may be ground for argument that as the British North America Act was passed subsequently to this statute, it confers a constitution more liberal than those to which the statute applied.

42. Another view which may be urged is, that the repugnancy, in order to have the effect indicated, must exist in relation to some statute passed after the creation of the Legislature of a Colony. The statute does not seem, certainly, to have been construed by the judicial decision, in the manner indicated by Lord Carnarvon.

43. If the view which his Lordship takes is correct, it will be impossible for the Parliament of Canada to make laws in regard to any one of the 21 subjects which constitute the "area" of the Canadian Parliament (to adopt the phrase used in the decision of *Hodge v. the Queen* in relation to the Ontario Legislature) when such legislation is repugnant to any legislation which existed previously, applicable to these subjects, in the Colonies.

44. There undoubtedly did exist Imperial legislation as regards all those subjects in the Colonies, at a time long anterior to the gift of representative institutions, and it was never supposed to be necessary that Canada, or the provinces now constituting Canada before the Union, should obtain the repeal of that legislation by the Imperial Parliament before they proceeded to adopt such measures as became necessary from time to time in the government of the country.

45. It is respectfully submitted that, in respect to all these subjects, the Parliament of Canada must be considered to have the plenary powers of the Imperial Government (to quote the words of the Judicial Committee) subject only to such control as the Imperial Parliament may exercise from time to time, and subject also to Her Majesty's right of disallowance, which the British North America Act reserves to Her, and which, no one doubts, will always be exercised with full regard to constitutional principles and in the best interests of the Empire, when exercised at all.

46. For these reasons the undersigned respectfully recommends that Her Majesty's Government be moved to permit the Copyright Act of last Session to go into operation, subject to a date being hereafter agreed upon by Her Majesty's Government for bringing it into force.

47. He respectfully asks, also, that your Excellency's Government may be allowed to discuss all questions raised in this Report at further length and further detail, if necessary, as they involve grave consequences for the Dominion of Canada, not merely in relation to the subject of copyright, but in relation to the rights and powers of Parliament, and he recommends that a copy of this Report, if approved, be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

August 3rd, 1889.

JNO. S. D. THOMPSON,
Minister of Justice.

No. 4.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.
(Received September 16, 1889.)

MY LORD,

The Citadel, Quebec, August 31, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 14th instant,* introducing Mr. F. R. Daldy, the Honorary Secretary of the Copyright Association, and requesting that I should afford him all proper facilities for explaining to my Ministers his views in reference to certain points connected with copyright legislation.

I have communicated with the First Minister, who is at Rivière du Loup, not far from the address given me by Mr. Daldy, and have asked him to arrange to see him if possible, and I have told Mr. Daldy (who was personally known to me when I was at the Board of Trade), that I will see him here if he will call. All other possible facilities will be given him.

I have, &c.

STANLEY OF PRESTON.

No. 5.

F. R. DALDY, Esq., to COLONIAL OFFICE.
(Received March 3, 1890.)

Aldine House, Belvedere, Kent,

MY LORD,

February 22nd, 1890.

I HAVE the honour of sending to your Lordship four copies of a letter I have prepared for Sir John Thompson, the Canadian Minister of Justice, on the subject of the recent Canadian Copyright Bill.

I should esteem it a favour if your Lordship would forward it to Sir John Thompson, with any criticisms or opinions you may desire to express upon it, as I am most anxious, in consequence of the kindness and courtesy I have received on this question from the Colonial Office, not to entangle the subject by expressing any opinions to the Canadian Government without your full cognisance.

Your Lordship will notice that I venture to recommend the Canadian Government *to drop the subject*, because, in my opinion, no further legislation is required on their part, at least at present.

I have not entered into the question of the particular "Royalty editions" which the Royal Commission suggested might be allowed to be published *under certain circumstances*, because those circumstances do not arise here. It cannot be said that the Canadian market is "not supplied with cheap editions enough to satisfy the wants of the public" under present regulations, and it is only in such a case that their recommendations apply. I think it was never contemplated that the law should be changed merely to confer a doubtful benefit on the Canadian printing trade at the expense of the author's interests.

The difficulties which would arise from the issuing of licensed editions, as proposed by the Canadian Act, appear to me so great that they practically destroy the very principle of copyright. Licensed editions would under any circumstances rob the author of the

control of the fruit of his own brain and labour, and interfere with his property to the extent of compelling him to sell it at a fixed price. They would also prevent his having any oversight of his writings, and this is not unimportant, for I have heard of cases in which a publisher employed another writer to finish a novel because the author did not issue it fast enough to suit his purposes. He would be unable to bring out any revised or improved editions, a point to which the late Lord Lytton attached great importance. He could not choose his own publisher. He could not control the accuracy of his writings, which, in many cases, is of vital importance not only to his popularity but to his reputation. These editions would lead to inextricable confusion.

As a case in point, I may refer to a theological work which Messrs. Rivington have been preparing. "An author is bringing out a few copies of an abstract of a theological work, for which he expects some circulation in Canada, because he is well known there, with a view to learn whether the public will give him sufficient encouragement to treat the subject more fully." If a licensed edition be issued he would be barred from bringing out his complete work, because it would necessarily include the smaller, and for this he would have lost his copyright in Canada, and could not even reprint it himself without a license.

Again, take the novel, the class of work most likely to circulate largely there. Mr. Blackmore's popular novel "Lorna Doone," did not attract sufficient attention for the first six months to justify his reprinting it in Canada, but afterwards it sold there very largely. Yet by this Act he would have lost his copyright there. Again, how is he to get adequate remuneration? Take the case of a novel by Edna Lyall passing through "Good Words." What is to prevent a local newspaper reprinting each portion as it appears; and is the royalty to be paid on the whole of each number of the paper or only in proportion to the space it occupies in it? Or if Farjeon's last novel, issued complete, were republished in a Canadian periodical, extending perhaps over 12 numbers, how is he to be paid? Again, if the novel is issued as a *supplement* to a newspaper or periodical, and *given gratis*, how is he to be paid? Remember he is barred from supplying very cheap editions direct now, because the law cannot prevent *their being returned to England to compete with* his home editions. This objection would also apply to the above Canadian cheap edition, and, therefore, he is bound for his own protection to be able to put them into the hands of a publisher he can trust, and bind him under penalty not to send them to England or the other Colonies.

I might multiply illustrations of the difficulties flowing from depriving the author of the control of his work, and even enlarge on its injustice. No other class of property is, to my knowledge, forcibly taken from its producer at, as I have said before, a price fixed without his consent, and I may add that no country has ever hitherto even attempted to rob him of the fruit of his labour, except the United States, and even that country is legislating to concede him this right, though, I admit, under severe restrictions.

I do not know whether you consider that the Canadian Act might be interpreted by the United States as directed against her trade. It would undoubtedly so operate, and, though I cannot feel that she deserves much consideration, it is to be borne in mind that the trade was created by our Act of 1847 and subsequent Canadian legislation, and perhaps, as a friendly Power, she is entitled to notice of this kind of legislation, and it may lead her to remonstrate on account of its being unfair to those of her interests which we have heretofore stimulated.

I earnestly hope the Canadian Government will not persist in this legislation, for I am sure she might substantially gain her end of encouraging her own production, as far as is reasonable, if she fully carries out her Act of 1850, and the Home Government were induced to legislate so as to prevent all colonial reprints from coming into the English market, and thus make it safe for British authors to arrange with Canadian publishers for cheap editions.

I may add the present Act is not in the interest of the Canadian public, for that might be better served by repealing the Canadian Customs duty on books (15 per cent.), nor of Canadian authors, for the Act, if proclaimed, would immediately restrict their copyright to the Dominion and exclude them from the benefits of the Berne Convention, and their present rights in Great Britain and other Colonies would also be lost.

I have, &c.

F. R. DALDY.

Enclosure in No. 5.

Aldine House, Belvedere, Kent,

February 20, 1890.

DEAR SIR JOHN,

I HAVE delayed writing to you till I could assure myself that the Copyright Act passed last year by the Canadian Legislature was *ultra vires*, and therefore could not obtain the Royal Assent without Imperial legislation. From the eminent opinions I have privately obtained, I am now quite satisfied on the point, and I write under the impression that the Law Officers of the Crown will not differ from that view.

The question, therefore, will arise of the course you wish to take respecting your Copyright Act of 1889; and, in view of it not being necessary for you to legislate on account of your having joined the Berne Convention, I ask you, amongst other courses, to consider fully that of letting the subject drop altogether; or, at least for the present, because the legislation and other consideration of Copyright Law now taking place in the United States may considerably modify, if not entirely obviate, the necessity for your dealing with it by legislation at all. I do not know what value attaches to the statement, but I am justified in telling you that the American Copyright League have learned that the most prominent Minister in the United States Government has under consideration the making of a special treaty with Great Britain, after the Bill sanctioning the principle of protection for the property of foreign authors has become an Act.

Should you decide on this course, you have still to consider what steps you will take for the better collection of the author's royalty, under the Act of August 10, 1850.

I think I drew your attention to the fact that out of 20 Colonies, which have passed similar Acts, 17 have made due provision for stamping each imported copy as it passes through the Custom House, and every unstamped copy is liable to seizure and forfeiture. This prevents smuggling, especially if you authorise any person to seize unstamped copies and to retain them as their own on payment of the duty and getting them stamped, for you thereby secure the aid of the booksellers who have honestly paid the duty, because they are naturally anxious to prevent others under-selling them.

The trouble this would impose on the Custom House officers is more apparent than real, for, when several copies are imported in sheets, as only the title-page has to be stamped the stamping will not take long, and in the case of bound-up volumes, those in paper covers can be stamped on the outside, and those in cloth or other binding on the title-page. If you shrink from the expense you can easily make the duty 15 per cent. and retain 2½ per cent. for Customs expenses.

To assist the Custom House officers I would suggest that an alphabetical register be printed of all books liable to duty to date, and that you print annually, for Customs use, an alphabetical supplement; and once in five or seven years you could bring out a new edition of the catalogue incorporating these supplements.

For this register you have the materials in the Customs notices you have received from time to time, and need only arrange the books in alphabetical order.

Our Commissioners of Customs have very kindly agreed to accept entry of a work as soon as it is in the press, to enable them to give you notice for your Customs by the time it is published.

An important advantage of stamping imported copies will be the encouragement of reprinting English copyright works in Canada, because the imported copies will be weighted with 15 per cent. author's royalty, and 15 per cent. Customs duty, together 30 per cent., in favour of those publishers who like to bring out Canadian editions of suitable works by arrangements with their authors; and, if, even now, Messrs. Lovell and Son, of Montreal, Mr. Bryce, of Toronto, and others produce authors' editions of several copyright works, with such a stimulus they would produce many more.

The Governor in Council has not hitherto sent with his remittances under this Act the name of the work on which the duty is paid, and as a consequence it is often very difficult to assign them to the right author, as the publisher to whom it is sent is not told the name of the author to which it belongs. This might be remedied by adopting a form somewhat like the enclosed—I make it as short and simple as possible:—

Name of Book.	English Publisher.	Amount.
"Cleopatra" - - - -	Longmans & Co. - - - -	£ s. d. 0 0 0

I am sure that a re-perusal of the Act of 1850 will satisfy you that Canada undertook efficiently to carry out its intentions, and I do not know a simpler or more effective form of so doing, or one entailing less trouble on all concerned in its administration than the above scheme.

I shall be much gratified if these suggestions help you to put this troublesome subject on a proper footing.

The Hon. Sir John Thompson,
Minister of Justice,
Ottawa, Canada.

Believe me, &c.

F. R. DALDY.

No. 6.

LORD KNUTSFORD to LORD STANLEY OF PRESTON.

MY LORD,

Downing Street, March 25, 1890.

IN reply to your Despatch of 26th August,* I have to state that I have given very careful consideration to the arguments put forward in the able report of the Minister of Justice, in which the Privy Council concurred, with reference to the Act of the last session of the Dominion Parliament to amend the Copyright Act (cap. 62, Revised Statutes of Canada), but I regret to say that I am unable to authorise you to issue a proclamation to bring that Act into force.

I am advised by the Law Officers that the powers of legislation conferred upon the Dominion Parliament by the British North America Act, 1867, do not authorise that Parliament to amend, or repeal, so far as relates to Canada, an Imperial Act conferring privileges within Canada.

This advice, as your Ministers will observe, by reference to the Parliamentary Paper (Copyright Colonies)† of April 1875, is in entire accordance with the advice tendered by former Law Officers—now Lords Selborne and Herschell—in 1871, and by the Law Officers in 1874 and 1875, and I may add with the judgments of two judges in the case of *Smiles v. Bedford* on Appeal 1, Upper Canada Reports 436. The reasons upon which this view is based are very clearly stated by Lord Carnarvon in his Despatch of 15th June 1874,‡ and I have only to express my concurrence in those reasons.

This important subject will doubtless receive further consideration by your Ministers; and it may, therefore, be perhaps not out of place if I call attention to two provisions in the Act passed last session by the Dominion Parliament, which have been directly brought under my notice, and to which special objection is felt by the proprietors of copyright in this country.

In the first place it has been pointed out, that, under the Canadian Copyright Act of 1875, which had effect given to it by the Imperial Act of 1875, no limitation of time for printing and publishing, or reprinting and republishing, in Canada was imposed, whereas by the fifth section of the Act of the last session, one month only is allowed for such proceeding; and I am assured that in the great majority of cases, it would be practically impossible within that time to make the necessary arrangements. I should hope, therefore, that upon further consideration, it may be recognised that the time proposed is insufficient.

The second provision to which objection is strongly felt, is that which empowers the granting of licenses to print and publish works for which copyright might, but for neglect or failure, have been obtained. I am aware that the principle of granting such licenses was affirmed by the Royal Commissioners on Copyright in their report of the 24th May 1878, and that they recommended such grants “in case no adequate provision” be made by republication in the Colony or otherwise, within a reasonable time after “publication elsewhere, for a supply of the work sufficient for general sale and circula-

* No. 3.

† [H. C. 144] April 1875.

‡ No. 4 in [H. C. 144] of 1875.

"tion in the Colony," but the conditions, which, in their opinion, seemed reasonable, as conditions precedent to the granting of such licenses have hardly had effect given to them in this Act, especially when it is remembered that the copyright proprietor is only allowed one month within which to publish or to republish.

And as bearing upon this question of licensing, I enclose, for the consideration of your Ministers, the copy of a letter,* which I have received from Mr. Daldy, who represents the Copyright Association in this country, and in which some reasons, which appear to me to carry considerable weight, are advanced against the proposed system of licensing.

I observe that in the report of the Minister of Justice, it is assumed that before any proclamations under the Copyright Act of last session could be issued, it would be necessary for Her Majesty's Government to give, on behalf of Canada, notice of denunciation of the Berne Convention. Any action on the part of Her Majesty's Government in this direction has, for the present, been rendered unnecessary, inasmuch as they are not able to concur in the issue of a proclamation.

Your Ministers will doubtless further consider whether it would not, upon the whole, be desirable to leave the law as it now stands, until it is seen what is the outcome of the legislation pending upon the subject of copyright in the United States, and of any negotiations between the Governments of Her Majesty and of the United States, which may be consequent thereon. The result of those negotiations might be to remove some of the difficulties now felt in the Dominion, and to obviate further legislation.

In conclusion I will only add that it is my desire to assist, as far as possible, any well considered measure which, while substantially preserving the rights of copyright proprietors under the Imperial Act, will meet the wishes of the Canadian people.

I have, &c.

KNUTSFORD.

No. 7.

LORD KNUTSFORD to LORD STANLEY OF PRESTON.

[*Not answered.*]

MY LORD,

Downing Street, March 25, 1890.

REFERRING to my Despatch of even date,† respecting the Act to amend the Copyright Act (cap. 62, Revised Statutes of Canada), I think that your Ministers will probably agree with me that it is inconvenient to retain on the statute book a law which has not taken effect, and I should be glad if you will consult them as to whether they propose to repeal it, or whether they would prefer that, under the circumstances, I should submit it to Her Majesty for formal disallowance.

I anticipate that the former course will be more consonant with their wishes; and I may also observe that, if reference is made to the second section of the Colonial Laws Validity Act, 1865, it will be seen that the Act can have no validity in so far as it is repugnant to an Act of the Imperial Parliament extending to the Dominion of Canada.

I have, &c.

KNUTSFORD.

No. 8.

BOARD OF TRADE to COLONIAL OFFICE.

(Received July 10, 1890.)

[*Answered by No. 10.*]

Board of Trade (Railway Department), London, S. W.,

July 9, 1890.

SIR,

I AM directed by the Board of Trade to transmit to you herewith, for the information of the Secretary of State, a copy of a letter which they have received from the

* No. 5.

† No. 6.

Central Office of the International Copyright Union at Berne, asking for information on the subject of copyright legislation in Canada during the past year; and I am to request that you will move Lord Knutsford to be good enough to cause this Department to be furnished with any observations which his Lordship may wish to offer in the matter.

I am to add that the Board of Trade would also be glad to receive copies of the Canadian Act referred to by the Central Office, both for transmission to that office and for record in this Department.

I have, &c.

COURTENAY BOYLE.

Enclosure in No. 8.

To the ASSISTANT SECRETARY (Railway Department) Board of Trade, Londres, S.W.

(No. 258.—Annexes.)

Bureau de L'Union Internationale pour la
Protection des Œuvres Littéraires et Artistiques,

MONSIEUR LE SECRÉTAIRE, Berne, le 3 Juillet 1890.

LES journaux nous ont appris qu'un projet de loi sur la protection des droits d'auteur a été présenté le 11 Mars 1889 au Parlement du Canada.

On nous demande si ce projet a été voté par les deux Chambres du Dominion et s'il a reçu la sanction de S. M. la Reine.

On nous parle d'une loi Canadienne qui formerait le chapitre 59 des lois de 1889 et qui aurait reçu la sanction royale le 2 Mai 1889.

Comme nous manquons de renseignements à ce sujet, nous vous serions reconnaissant, Monsieur le Secrétaire, de vouloir bien nous mettre à même de répondre à la demande qui nous est adressée.

Nous saisissons cette occasion pour vous présenter, Monsieur le Secrétaire, avec nos remerciements anticipés, l'expression de notre considération distinguée.

Bureau de l'Union Internationale
Littéraire et Artistique
le Secrétaire Général,
MOREL.

P.S.—Nous avons fait de cette question l'objet d'une étude publiée dans les No. 1, 2, 3, et 5 du "Droit d'Auteur" de cette année.

No. 9.

SIR J. S. D. THOMPSON to COLONIAL OFFICE.
(Received July 19, 1890.)

Westminster Palace Hotel, London, S.W.

MY LORD,

July 14, 1890.

IN the report which I had the honour to make to his Excellency the Governor-General of Canada in Council on the subject of copyright in Canada, dated August 3rd, 1889, and which was approved by his Excellency and transmitted to your Lordship,* it was asked that his Excellency's Government might be allowed to discuss the questions dealt with in that report at further length, and in further detail, if necessary, as they involved grave questions of great consequence to Canada, not only with respect to copyright, but in relation to the powers of the Parliament of the Dominion.

Having had the privilege to-day of carrying on that discussion, to some extent, with your Lordship, I avail myself of the permission accorded me at our interview to place in writing before you some of the arguments which I am instructed by the Government of Canada to advance, in amplification of my report above mentioned.

* No. 3.

In your Lordship's Despatch of the 25th of March 1890,* in reply to the observations in that report, you called the attention of the Government of Canada to some provisions of the Copyright Act of Canada of 1889, to which you stated that special objection was felt by the proprietors of copyright in Great Britain. One of these was the limit of time (one month), allowed for the British author or publisher to republish in Canada, after publication in Great Britain. Your Lordship had been assured that, in a great majority of cases, it would be impracticable, within the period of one month, to make the necessary arrangements for re-publication in Canada, and expressed the hope that, upon further consideration, it might be recognised that the time proposed was insufficient. Upon this point, as well as to other details of the Act, it is unnecessary to trouble your Lordship with any argument at the present moment. The questions to be settled first, and to which I understand your Lordship to wish that I shall address myself, relate to the principle of the Act and to the power of the Government of Canada to pass it. Any details which are felt to be unfair or inadequate, in view of all the interests involved, will, I am sure, be reconsidered by the Parliament of Canada. At the same time, I may observe that it is contended on the part of those who are interested in the publishing business in Canada that the time referred to is not unreasonably short, and that the holder of copyright in the United Kingdom can easily make arrangements for simultaneous production in the two countries, so as to have re-publication made in Canada within the time specified in the Act. The time for re-publication must necessarily be of short duration, because, during that period, the importation of foreign reprints of the work, as well as the re-publication in Canada by other than the copyright holder in Great Britain is prevented, pending the exercise of the option by him as to whether he will avail himself of the Canadian copyright law or not.

On this, and on all other matters of detail, any suggestions which your Lordship may think proper to make will, I am sure, receive the earnest and respectful attention of the Canadian Government.

Your Lordship's Despatch refers his Excellency's Government for some particulars of the objections which had been pressed on you to a letter dated Aldine House, Belvedere, Kent, February 20th, 1890, supposed to have been addressed to me, signed by Mr. F. R. Daldy, Hon. Secretary of the Copyright Association, but I have been unable to gather much information from that letter as to the objections which are entertained in England with regard to the Canadian Act of 1889. Mr. Daldy, and the association which he represents, are hostile to any measure by which the right of any Colony to self-government on this subject may be asserted or conceded, and his letter suggests an entire abandonment of the legislation of 1889, and the adoption of further measures to carry out more strictly the existing law, which is so unsatisfactory in Canada. I may mention here, in case the fact should be of any importance, that I know of Mr. Daldy's letter only by the copy appended to your Lordship's Despatch. If Mr. Daldy has ever sent such a letter, it has never reached me.

Coming now to a statement, more in detail than could be made at our interview, of the views which prevail in Canada on this subject, I am charged by the Canadian Government to express to your Lordship, in the strongest terms which can be used with respect, the dissatisfaction of the Canadian Government and Parliament with the present state of the law of copyright as applicable to Canada, and to request most earnestly from Her Majesty's Government, that they will apply a remedy, either by giving approval to a proclamation to bring the Canadian Act of 1889 in force, or by promoting legislation in the Parliament of Great Britain to remove any doubt which may exist as to the power of the Parliament of Canada to deal with this question fully and effectually.

Your Lordship is aware that the Statute of 1842 (5 & 6 Vict. chap. 45), is the Imperial statute by which copyright in Great Britain is extended to all the Colonies and dependencies of the Empire.

Any principles of common law by which authors and publishers might have claimed copyright were superseded by that Act, and copyright was given to any person who should publish a literary work in the United Kingdom, if he should be a subject of Her Majesty, or a resident of any part of Her Majesty's dominions.

I need not remind your Lordship that the operation of that Act was immediately attended with great hardship and inconvenience in the North American Colonies.

The Legislature of the Province of Canada, in the year 1843, passed a series of resolutions expressing a strong remonstrance, and nearly all the other Legislatures in North America followed.

The Legislature of Nova Scotia in 1845 memorialised Her Majesty for a modification of the Act. They stated that the high price of English books, and the monopoly of London publishers, which were felt to be serious grievances in the United Kingdom, but mitigated there by the periodical sales by some of the publishers, and by the wide establishment of circulating libraries, clubs, and reading societies, were intensified in the Colony, where the importation of English editions of new books was confined to a few copies for the use of libraries and wealthy individuals; that the readers of the Colony were usually supplied by American reprints of English books, and that any law of copyright to prevent the importation of such reprints could not be enforced and would be ineffectual, even to extend the sale of English copies beyond the previously existing demand.

The Legislature of Nova Scotia at that time pressed upon Her Majesty's Government, not only a consideration of the general advantages of literature upon the minds of the people, but the evil tendency of literature of a foreign, and often hostile country, like the United States, in forming the political opinions and the tastes of the people in the provinces.

On November 27th, 1845, Lord Stanley, Her Majesty's Principal Secretary for the Colonies, replied to this memorial from Nova Scotia, intimating that the attention of Her Majesty's Government was being directed to the state of the copyright law, in order to discover if there were any particulars in which the law might be so amended, as to afford any relief to the Colonies, "without promising that Parliament would be recommended to alter its determination to afford protection to the authors and publishers of Great Britain, of their right of property in their own productions."

On the 13th March 1846, the Legislature of Nova Scotia again adopted a report, which was transmitted to the Right Honourable the Secretary of State for the Colonies.

That report stated that attention had been given by the Committee to the Despatch of Lord Stanley dated the 27th November 1845, and that they were convinced "that the practical effects of the Copyright Act were to deprive the people of the Colonies of literature, whose means rendered them unable to purchase costly books issued from English publishing houses, to diminish the revenue, and to encourage smuggling, without producing any corresponding benefit to the author."

These remonstrances drew from the Right Honourable Mr. Gladstone, the Secretary of State for the Colonies, a representation to the publishing trade in England, that "they must be induced to modify any exclusive view which might still prevail with regard to this important subject."

At length, on the 19th October 1846, Sir Stafford H. Northcote, by direction of the Lords of the Privy Council for Trade, reviewing the contentions which had been thus pressed upon the Home Government by the Legislatures of the Colonies, made the following recommendation to the Colonial Office:—

"Under these circumstances, my Lords see no course so likely to be successful as that of inviting the Colonial Legislatures themselves to undertake the task of framing such regulations as they may deem proper for securing at once the rights of authors and the interests of the public. My Lords feel confident that they may rely upon the Colonies being animated by a sense of justice which will lead them to co-operate with this country in endeavouring to protect the author from the fraudulent appropriation of the fruits of labours upon which he is often entirely dependent, while they entertain a sanguine hope that methods may thus be discovered of accomplishing this important object with the least possible inconvenience to the community."

"I am accordingly directed to request that you will suggest, for Lord Grey's consideration, whether it might not be desirable to obtain from Parliament an Act authorising the Queen in Council to confirm, and finally enact, any colonial law or ordinance respecting copyright, notwithstanding any repugnancy of any such law or ordinance to the copyright law of this country, it being provided by the proposed Act of Parliament that no such colonial law or ordinance should be of any force or effect until so confirmed and finally enacted by the Queen in Council, but that, from the confirmation and final enactment thereof, the copyright law of this country should cease to be of any force or effect within the Colony in which any such colonial law or ordinance had been made, in so far as it might be repugnant to, or inconsistent with, the operation of any such colonial law or ordinance."

I am, &c.

STAFFORD H. NORTHCOTE."

The following is the reply of the Colonial Office to the Board of Trade, dated 20th October 1846 :—

COLONIAL OFFICE to BOARD OF TRADE.

SIR, Downing Street, October 30, 1846.

I HAVE laid before Earl Grey your letter of the 19th instant, respecting the operation of the Imperial law of copyright in the British North American Colonies.

His Lordship directs me to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that he concurs in the views expressed in your letter on this subject, and that it is, in his opinion, preferable, after the repeated remonstrances which have been received from the North American Colonies on the subject of the circulation there of the literary works of this kingdom, to leave to the Colonial Legislatures the duty and responsibility of enacting the laws which they shall deem proper for securing the rights of authors and the interests of the public.

Lord Grey therefore directs me to request that you would move the Lords of the Committee of Privy Council for Trade to take such measures as may be expedient for submitting to the consideration of Parliament in the ensuing session a Bill authorising the Queen in Council to confirm and finally enact any colonial law or ordinance which may be passed respecting copyright, notwithstanding the repugnancy of any such law or ordinance to the copyright law of this country, and containing also the provisions mentioned in your letter in respect to the period at which such colonial law should come into operation.

I am, &c.
B. HAWES.

Thereupon the following circular Despatch was sent by Earl Grey to all the Governors of the North American Colonies :—

EARL GREY to the GOVERNORS of the NORTH AMERICAN COLONIES.

Circular.

SIR, Downing Street, November 5, 1846.

HER Majesty's Government having had under their consideration the representations which have been received from the Governors of some of the British North American provinces, complaining of the effect in those Colonies of the Imperial copyright law, have decided on proposing measures to Parliament in the ensuing session, which, if sanctioned by the Legislature, will, they hope, tend to remove the dissatisfaction which has been expressed on this subject, and place the literature of this country within the reach of the Colonies on easier terms than it is at present. With this view, relying upon the disposition of the Colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent, Her Majesty's Government propose to leave to the local Legislatures the duty and responsibility of passing such enactment as they may deem proper for securing both the rights of authors and the interests of the public. Her Majesty's Government will, accordingly, submit to Parliament a Bill authorising the Queen in Council to confirm and finally enact any colonial law or ordinance respecting copyright, notwithstanding any repugnancy of any such law or ordinance to the copyright law of this country; it being provided by the proposed Act of Parliament that no such law or ordinance shall be of any force or effect until so confirmed and finally enacted by the Queen in Council, but that, from the confirmation and final enactment thereof, the copyright law of this country shall cease to be of any force or effect within the Colony in which any such colonial law or ordinance has been made, in so far as it may be repugnant to, or inconsistent with, the operation of any such colonial law or ordinance.

I have, &c.
GREY.

After a lapse of more than 40 years, I am charged with the duty of reminding your Lordship that the promise contained in that Despatch of Earl Grey has never been fulfilled, and respectfully to ask its fulfilment at the hands of your Government. The

lapse of time which has intervened has strengthened tenfold every one of the reasons which induced it to be made. At the date of that Despatch responsible government had hardly been established in the North American Colonies, now those Colonies have had 40 year's experience of self-government and have a United Parliament, under a most liberal constitution—a Parliament possessing great powers and responsibilities, among which is expressly mentioned the subject of copyright.

The experience which has been gained of Colonial legislation has, I hope, not lessened the confidence of Her Majesty's Government in the disposition of that Parliament to deal justly with the interests which have been entrusted to its care, and to carry out the views of Her Majesty's Government in matters of Imperial policy as far as possible.

Again, the inconveniences which were pressed on the consideration of Her Majesty's Government forty-seven years ago by the Colonial Legislatures have increased, notwithstanding the partial measure of relief which was accorded three years after Earl Grey's Despatch, and which permitted the importation of Foreign reprints of British copyright works. The price of British publications still exceeds six or sevenfold that for which reprints are purchased in America. The system of circulating libraries and periodical sales, which gives to the British reader the benefit of British literature, has found no place in the Colonies, while in Canada the means of reprinting British publications is now, though it was not then, entirely adequate to the wants of the reading public, if it be permitted to carry on operations, with a reasonable regard for the interests of British copyright holders.

In part fulfilment of the promise of Her Majesty's Government, made known through Earl Grey in the despatch above quoted, the Imperial statute of 1847 was passed, authorising Her Majesty, by Order in Council to suspend that portion of the Act of 1842 which prohibited the importation of foreign reprints of British copyright works, as to any Colony in which the proper Legislative authority should be disposed to make due provision for securing and protecting the rights of British authors in such possession.

In the years 1848–50 Her Majesty in Council made Orders in Council suspending the prohibition contained in the Act of 1842 against the importation of such foreign reprints, the Legislatures of the North American Colonies having, in the meantime, provided for the collection of an impost on such foreign reprints in favour of the author or copyright holder. This partial measure, although not a fulfilment of the promise of Earl Grey, met the principal grievance felt at that time in the North American Colonies, namely, the grievance of being deprived of British literature, which could practically only be supplied to the Colonies by American reprints, the publishing business of the Colonies being then in its infancy.

For a time, the complaints of the Colonies against the Act of 1842 ceased, in consequence of this remedial measure, but for the last twenty years and upwards, the operation of the Act of 1842 even with the remedial provisions of 1847, has been seriously felt and has formed the subject of almost constant complaint. In the quarter of a century which followed the Act of 1842 new conditions of trade and commerce developed. The people of the North American provinces had not only become used to self-government, by the liberal policy of Her Majesty's Government in giving them free legislative constitutions, but they had become more independent of American industries. The necessity for encouraging native industries, instead of relying on those of the United States, had also become very apparent.

The following are instances of the serious inconvenience experienced by the operation of the Imperial copyright laws in North America.

The reading public of what is now the Dominion of Canada has been principally supplied with British literature by American reprints. The high price of British editions has made this unavoidable. In spite of the pointed and repeated warnings to British publishers, given by the Colonial Office for 40 years, very little has been done to change this state of things by providing cheap editions of British works. Even to this day, the English editions cost from four to tenfold the price of American reprints. The result is that the business of publishing British literature for the Canadian reading public is done almost exclusively in the United States. The American publisher, unrestrained by any international copyright law or treaty, is free to reprint any British work and to supply it, not only to the reading public of the United States, but to the reading public of Canada, while the Canadian publisher is not free to reprint any such work on any terms, unless he can obtain the permission of the holder of the copyright in Great Britain. In some noted instances, this has actually led to the transfer of printing establishments from Canada to the United States.

In other cases, English publishing houses have set up branches in New York, or other American cities, with the view of reprinting for the United States and Canada, the copyright works which they have issued in London.

It has been their interest to establish such branch houses in the United States, because they have obtained thereby the American market; whereas in Canada, even with the permission of the holder of the copyright, they would only have the Canadian public for purchasers; and, without that permission, could not set the type of a single page.

In many other well-known instances, American authors in the United States have availed themselves of the restrictions which fetter the publishing trade in Canada, under the Imperial Copyrights Act, in a manner which is most unjust to British subjects in Canada, and presents in a striking view the arbitrary and oppressive operation of those Acts. They do so in the following manner: the Imperial Copyright Act of 1842, as interpreted by legal decisions, enables any person who resides, even temporarily, in British dominions, to obtain copyright if he publishes his work in the United Kingdom, and such copyright has force throughout the Empire. "Publishing" had been held not to mean printing, necessarily, and residence may be of the most temporary character. The American authors above referred to, for the purpose of preventing their works being reprinted in the British dominions, cross the St. Lawrence, reside for a few days within Canadian territory, send to London a few copies of their works ready to be issued there, and thereupon obtain copyright throughout the Empire. They then return to their own country, where their works have been printed and copyrighted, and send into Canada those works, in the shape of foreign reprints of British copyrights, and on these the Canadian Government collects the impost in favour of the American publisher, who thus enjoys copyright in his own country, which is not open to any British subject, and enjoys in the British dominions, a right of reprinting which no colonist can obtain. While this state of the law is being constantly made use of by American authors, the United States decline to enter into any international arrangement with Great Britain, and have no interest in making any, because their people can thus use the British Empire for their market without restriction, while offering no advantages in their own market in return. On the contrary, they refuse copyright to any one who is not a citizen of the United States, or who is not able to show residence, in the sense of domicile.

An American publisher, if he desire to make any arrangement with the British copyright holder for the right to reprint the work of the latter, can easily outbid the Canadian publisher, not only on account of the greater facilities he possesses for the production of the book, and not only on account of the more extended market which he has in the United States, but because he will have the Canadian market of five millions of readers at his command, inasmuch as the Imperial Copyright Acts forbid the reprinting of copyrighted works, but permit the importation of the American reprints. In many modern instances the British copyright holder has preferred to sell his right to an American publisher rather to a Canadian, and has bound himself by the terms of sale to prosecute any Canadian who may reprint his work for sale in Canada, which is the operation which the American sets himself about at once.

The instances in which Canadian publishers have been able to make arrangements with copyright holders in Great Britain have been comparatively few. It is unnecessary to seek for the reason of this. It is not because Canadian publishers are unwilling to make fair terms with the British copyright holder, but because American publishers have greater facilities, and because British authors prefer to deal with publishers in the United States. It is useless to say that it may be made their interest to deal with Canadian publishers, or to issue colonial editions. Pressure, for 40 years, by the people of British North America, and remonstrances from the Colonial Office, have been unavailing to change their practice in regard to a policy, so entirely prudent, as that of providing for the wants of the reading public of British North America.

Having stated these facts, illustrative of the inconvenience imposed on Canada by the Imperial Copyright Acts, your Lordship, I hope, will appreciate the urgent desire of the Canadian Government, that a remedy should be applied as soon as possible. If the principal supply, for the reading public of Canada must, by virtue of Imperial legislation, come from the United States, it follows that the business of publishing for Canada is far more restricted than it ought to be, considering the wants of the people of that country and the means they have of supplying themselves, and it follows that encouragement is continually being given, in an increasing degree, to all those who are engaged in any of the employments which form part of book-making, to seek a home for themselves and their families in the United States, in preference to Canada. Overweighted as we

continually are, by reason of the vast competition of the United States in every branch of trade, industry and commerce, your Lordship will not wonder at our being disposed to complain, when, in regard to so important a matter as the furnishing of literature for our people, we are hindered by a monopoly, nominally in favour of the London publishers, but really and practically in favour of the publishers in the United States, and when we are held in that position by virtue of an Imperial statute passed nearly half a century ago, when the wants and capabilities of the people of British North America were greatly different from what they are now, when the population of British North America was only a fraction of what it is now, and when the powers of its people, as regards self-government, had hardly begun to exist, while they are now fully developed.

I proceed now to show that the request which I am urging upon your Lordship, by direction of the Canadian Government, was pressed on Her Majesty's Government immediately after the Dominion of Canada was established, has been pressed at many times since, and has always been met in a manner which justifies the hope that compliance with our request will not now be longer delayed.

On the 15th May 1868, the Senate of Canada passed an humble address to His Excellency the Governor-General, as follows :—

The Senate, 15th May 1868.

* * * * *

1st. To call the attention of Her Majesty's Government to the provisions of the Imperial Act, 10 & 11 Vict. c. 95, by which power is given to Her Majesty to approve of any Act passed by the Legislature of any British possession, admitting into such possession foreign reprints of British copyright works, provided that reasonable protection to the authors is, in Her Majesty's opinion, thereby secured to them.

2nd. To impress upon Her Majesty's Government the justice and expediency of extending the privileges granted by the above cited Act, so that, whenever reasonable provision and protection shall, in Her Majesty's opinion, be secured to the authors, Colonial reprints of British copyright works shall be placed on the same footing as foreign reprints in Canada, by which means British authors will be more effectually protected in their rights, and a material benefit will be conferred on the printing industry of this dominion.

Ordered, that such members of the Privy Council as are members of this House do wait on His Excellency the Governor-General with the said address.

Attest,

F. TAYLOR,
Clerk, Senate.

In June 1868, Mr. Rose, then Canadian Minister of Finance, being in London, was referred to by the Colonial Office for information on the subject of this address, and in a memorial dated the 30th of that month, he stated briefly, the inconveniences which were felt in Canada, and he declared the desire of Canada to be, in accordance with the address of the Senate, that the Canadian publisher be permitted to reprint English copyrights on taking out a license and paying an excise duty, effectual checks being interposed so that the duty on the number of the copies actually issued from the press, should be paid to the Canadian Government by such publishers for the benefit of the author.

A letter from the Colonial Office to the Board of Trade stated that consideration ought to be given to the course which should be taken with regard to the recommendation of the Senate of Canada that Colonial reprints of copyrighted works be placed on the same footing as foreign reprints in the Dominion, and that the Duke of Buckingham and Chandos, then Her Majesty's Principal Secretary of State for the Colonies, would be glad to be informed whether the memorandum submitted was sufficient to enable their Lordships of the Board of Trade to form an opinion on this question.

On the 21st July 1868, his Grace informed the Governor-General of Canada that he was in communication with the Board of Trade with regard to the recommendation of the Senate, and would apprise his Excellency of the result so soon as he was placed in possession of their Lordships' views.

The reply of the Board of Trade, dated the 22nd July, 1868, was that the question raised was far too important, and involved too many considerations of Imperial policy to render it possible to comply with the desire expressed by the address of the Senate that legislation should be obtained during the then present session of Parliament.

It was further stated to be most desirable that the Canadian question should be considered in connection with any negotiations with the United States with regard to copyright. The letter contained the following paragraph, which stated in substance the disposal of the question at that time :—

“ My Lords, however, fully admit that the anomalous position of Canadian publishers with respect to their rivals in the United States of America is a matter which calls for careful inquiry, but they feel that such an enquiry cannot be satisfactorily undertaken without at the same time taking into consideration various other questions connected with the Imperial laws of copyright and the policy of International Copyright Treaties, and they are, therefore, of opinion that the subject should be treated as a whole, and that an endeavour should be made to place the general law of copyright, especially that part of it which concerns the whole continent of North America, on a more satisfactory footing.”

The Duke of Buckingham and Chandos on the 31st July 1868, sent the Governor-General of Canada the following formal reply :—

“ Your Lordship will perceive that any immediate legislation on the matter was impossible, but that the anomalous position of the question in North America is not denied, and that it is admitted that the law of copyright generally may be a very fit subject for future consideration.”

On the 9th April 1869, the Government of Canada again moved in the matter, transmitting to the Colonial Office a memorandum by the Minister of Finance in reply to the communication from the Board of Trade above referred to, and on the 27th of July 1869, the Board of Trade made an extended reply, to which I beg to refer to your Lordship, as showing that the request which had been made from Canada in 1868, and which is still being pressed, was not controverted on its merits, but was deferred in the hope that, presently, some international arrangement might be made with the United States, and under the impression that it would be unwise to deal with the Canadian question while the probability of such an arrangement was in view. The following passage from that communication bears this out, and sets forth a summary of the conclusions at which the Lords of Trade had arrived :—

“ Under these circumstances the balance of argument is, in the opinion of the Lords of Trade, against any immediate adoption of the Canadian proposal. The truth is that it is impossible to make any complete or satisfactory arrangement with Canada unless the United States are also parties to it. Whatever protection is to be given to authors on one side the St. Lawrence must, in order to be effectual, be extended to the other ; and it is consequently impossible to consider this question without also considering the prospects of an arrangement between Great Britain and the United States. There are symptoms of the possibility of such an arrangement. In 1853–54 an international copyright convention was signed between the two Governments, but was allowed to drop. In the last session of the United States Congress a bill was introduced providing for international copyright in the United States. It required re-publication and re-printing in the United States as a condition of copyright there, and was in this respect objectionable. But the correspondence showed that there was a considerable interest in the question, and it was evident that the Americans were feeling the want of an international arrangement on the subject.

Accordingly, on the 20th October 1869, Earl Granville informed the Governor-General of Canada that the matter was one of some difficulty, and that Her Majesty's Government felt it necessary to obtain further information before deciding on the proposal of the Canadian Government, but that, in the meantime, action might be taken as to a portion of the Imperial law which was not affected by the difficulties surrounding the present question, namely, that while, by the present law, publication in the United Kingdom gave copyright throughout the Empire, publication in a colony could not give rights outside the limits of the Colony ; and he stated that Her Majesty's Government were prepared to take steps during the next session to amend the law in that particular.

On the 20th December 1869, the Governor-General of Canada transmitted a number of documents, one of which was an address which he had received from the Typographical Union of Montreal, setting out in strong terms the prejudicial effects of the Imperial Copyright Acts in Canada. His Excellency had promised, in reply, that he would not fail to draw the attention of the Privy Council to the point thus raised.

His Excellency also transmitted, at the same time, a report from the Minister of Finance on the first communication from the Board of Trade above mentioned.

The Minister remonstrated against the Canadian request being delayed for the action of the United States. He said : “ In reference to the second objection urged against

“ the desired change in the law, the undersigned is ready to admit that Canada ought not to ask for and should not expect to receive any privilege which could reasonably be held to prejudice, or postpone the satisfactory adjustment of the great question of international copyright between England and the United States. But he is unable to see how the change in the law asked for could have any such effect, especially if it were provided that the privilege accorded to Canadian publishers should be provisional and temporary, to determine on the conclusion of any international treaty of copyright between the two countries.

“ Under such limitations, would not the granting of the privilege asked for on behalf of Canadian publishers operate rather to bring about the conclusion of an International Copyright Treaty, than to postpone or prevent it? If Canadian publishers were placed on the same footing as their American rivals, the latter would be, to a very great extent, deprived of the pecuniary benefits resulting them, in the absence of any Inter-colonial Copyright Treaty from their piracy of the works of English authors.”

On the general question which I have already discussed, the Minister made use of the following expressions, which I cite for the purpose of showing that they are not now advanced for the first time to Her Majesty's Government, and that these are not newly discovered grievances:—

“ At present the Canadian public are mainly dependent on the supply, even of foreign literature for which a copyright may be obtained in England, on the reprints from the United States.

“ It may be argued in answer to these objections, that the Canadian publisher may make arrangements with the author for permission to publish; but as the law now stands there is no motive or inducement either for the author to concede, or the publisher to obtain, this sanction; the author has already made, or can make, his arrangements with the foreign publisher, who knows that circumstances will give him a large circulation in the Canadian markets, and that even the slight proportion of duty collected will be paid by the Canadian reader, because re-publication is there forbidden.

“ At present the foreign publisher, having a larger market of his own, and knowing the advantages of access to the Canadian market, can hold out greater inducements to the author than the Colonial publisher, and can afford to indemnify the author for agreeing to forego taking out any copyright and to abstain from printing in Canada.”

The Minister concluded his report, which had the approval of his Excellency in Council, as follows:—

“ Having considered the arguments advanced against the modification of the copyright law asked for in the Address of the Senate, the undersigned would recommend that the attention of the Imperial authorities be once more invited to the subject, and that they be earnestly requested to accede to the application of the Senate, upon the understanding, if thought proper, that the change in the law, if made, should be temporary, to be determined upon the conclusion of any International Copyright Treaty between England and the United States.

“ In conclusion, the undersigned may be permitted to note the fact that, during the last few months, the present subject has been very largely discussed in the leading journals of Canada as well as at public meetings. The public sentiment throughout the country is, that the privilege asked is fair and reasonable in itself, and that the granting of it would not only promote the interests of English authors but give an impetus to the publishing and printing trade, and other cognate branches of Canadian industry, and would be calculated to increase the circulation in Canada of the best British works, and to foster the literary taste and develop the literary talents of the Canadian people.”

At this stage, the British publishing interest intervened, and pressed upon the Lords of Trade, who in their turn pressed upon the Colonial Office, the propriety of compelling the Colonies to accept the modification of the Imperial copyright laws which had just been offered to them without any demand for concession in return, and which was obviously required by the commonest principles of justice, namely, the concession that publication in the Colony should be equivalent to publication in Great Britain, on condition, only, that the Colonies should give up their right, accorded under the Act of 1847, to import foreign reprints.

When so little was being conceded, in answer to the repeated requests of Canada for the right to supply our people with reprints, it would have been doubtful whether the Canadian Government would have expressed its acquiescence in a measure so comparatively unimportant, but when that concession became coupled with a condition which would have made the Imperial Copyright Acts absolutely unbearable and unenforceable, only one reply was possible, and that reply was the one which was transmitted from

Canada on the 1st of July 1870, stating that while there could be no objection to the proposed Bill, making publication in the Colony equivalent to publication in the United Kingdom, taking into consideration the suggested repeal of the Imperial Copyright Act of 1847, it was highly inexpedient that legislation should take place at that time.

Loré Kimberley requested the Governor-General of Canada on the 29th July 1870 to forward to him a full statement of the views of the Canadian Government on the question, in order that it might be considered before the next Session.

Accordingly, on the 30th November 1870, a joint report of the Ministers of Finance and Agriculture was adopted by his Excellency in Council, the substance of which is contained in what here follows:—

“What the undersigned would venture to suggest is, that the duty on the reprints of books first published either in Great Britain or its dependencies, when imported from foreign countries, should be materially increased; and that it should be levied in all cases for the benefit of the author or owner of the copyright, should such exist; and that to prevent evasion of the law a declaration should be required from importers that any works which they may claim to import free of such duty have never been published either in Great Britain or British dependencies; that foreign reprints of works published in Canada should be wholly prohibited; that any author publishing in Canada should be, as at present, protected in his copyright, but that, unless British copyright works should be published concurrently in Canada, licensed Canadian publishers should be allowed to publish, paying, for the benefit of the author or owner of the English copyright, an excise duty, which could be collected by means of stamps as easily as other duties of a similar kind. The undersigned have no doubt that such a scheme as that which they have suggested could be carried into practical effect with great advantage to the English authors, who, as a rule, would sell their copyrights for Canada to Canadian publishers. It is true that British publishers would not gain that Colonial circulation which they have long tried to obtain without success; but it is vain for them to expect that the expensive editions published in England can meet a sale in any part of the American continent.

“The undersigned, therefore, recommend that your Excellency should acquaint Her Majesty’s Principal Secretary of State for the Colonies that there is no probability of the Dominion Parliament consenting to any measure for enforcing British copyright in Canada unless it provides for local publication; and that, while the Canadian Government will be ready to introduce a measure that will be of great advantage to British authors, they must, in reference to foreign reprints, have regard to the interests of Canadian as well as of British publishers.”

In 1872, the Government of Canada were still without a definite reply to the request which had been made by the Address of the Senate in 1868, and which had been reserved, as above stated, by Her Majesty’s Government until further information could be gathered, and until the result of negotiations with the United States might be known.

On the 14th of May of that year the following report of a Committee of the Privy Council of Canada was approved of by the Governor-General and transmitted:—

“On a Memorandum, dated 10th May 1872, from the Honourable the Ministers of Finance and Agriculture, reporting that much anxiety has been manifested by Houses of the Canadian Parliament on the unsatisfactory state of the Imperial Copyright Act; that, as no reply has yet been received to the approved Report of the Committee of the Privy Council, dated 1st December 1870, they think it desirable that the attention of Her Majesty’s Government should again be called to the subject.

“That they have reason to believe that a good deal of discussion has taken place in England among the parties interested in copyright, and that the result of that discussion has been a considerable accession to the ranks of those who are in favour of the proposition submitted by them in the report already referred to.

“That it is apparent that the class which alone has a just claim to protection, viz., authors, have at length been convinced that their interests are not promoted by the maintenance of the present system.

“That it is no doubt true that the principal owners of copyright are the London publishers, but it is, they state, equally true that those publishers have never paid to the authors one single pound more for their copyrights in view of circulation in Canada.

“That it cannot be denied that the Canadian demand for concurrent publication in Canada should alone entitle the author to the benefit of copyright. That under the present system, which is wholly indefensible, and which is objected to, as well by the English publishers as by the Canadian publishers, the latter are treated with the greatest injustice.

"That it has long been the custom for the owners of English copyright to sell to American publishers advance sheets of their works, and when Canadian publishers have offered to acquire copyright in Canada by purchase, they have been told that the arrangements made between English and American publishers were such as to prevent any negotiations with Canadians.

"That Canada has passed a law by which British authors can secure copyright in Canada, and has further expressed a readiness, where authors do not choose to take out copyright, to secure adequate compensation to them by means of an excise tax on all English copyright works for the benefit of the authors.

"They, the Ministers, recommend that a further appeal be made to Her Majesty's Government to legislate upon this subject without further delay.

"The Committee concur in the foregoing report, and submit the same for your Excellency's approval."

In the Session of the Canadian Parliament of 1872 a Copyright Bill was passed, in substance and principle like the Act of 1889. This was reserved by the Governor-General for the signification of Her Majesty's pleasure.

In May 1874, the pleasure of Her Majesty not having been communicated, and in view of the fact that the two years within which the Royal Assent might be given to it would expire on the 14th of June 1874, addresses to his Excellency the Governor-General were presented by the Senate and by the House of Commons respectively, asking him to convey to Her Majesty's Principal Secretary of State for the Colonies the respectful expression of the necessity felt by the Senate and House of Commons that the Bill passed in the Session of 1872 should not be allowed to lapse by the expiry of the two years' limitation, specified in the 57th section of the British North America Act of 1867, and begging to assure his Excellency that important interests in the Dominion were prejudiced by the absence of legislation such as that Bill contemplated.

The answer was communicated on the 15th of June 1874 by Lord Carnarvon, stating that the Imperial Act of 1842 was still in force throughout the British Dominions, in so far as to prohibit the printing of a book on which copyright subsisted under that Act, and that he had been advised that it was not competent for the Parliament of Canada to pass such a measure as the Act of 1872, inasmuch as its provisions would be in conflict with Imperial legislation, and that he had no alternative but to advise Her Majesty that Her Assent could not properly be given to the Bill.

Lord Carnarvon closed his Despatch with the following paragraph, which, I respectfully submit, is a renewal of the promises often made in connexion with this subject:—

"I am aware that the subject of Colonial copyright has long been under consideration, and that attempts were made by Her Majesty's late Government, in connexion with yourself and your Ministers, to arrive at a settlement of this difficult and most important question. I will only now express my readiness to co-operate, and my confident hope that we may without difficulty be able to agree in the provisions of a measure which, while preserving the rights of the owners of copyright works in this country under the Imperial Act, will give effect to the views of the Canadian Government and Parliament.

Pending the fulfilment of the promises thus renewed by Lord Carnarvon, the Parliament of Canada in 1875 passed a Bill on the subject of copyright in Canada, which was carefully drawn, to avoid as far as possible, conflict with Imperial legislation. In order to remove any doubts as to the validity of this Bill an Imperial statute was passed to authorise its being assented to. This latter is known in Great Britain as the "Canadian Copyright Act of 1875." It authorised Her Majesty to assent to the reserved Bill, but forbade the importation into the United Kingdom of Colonial reprints of any work which might be copyrighted in Canada, and for which copyright subsisted in the United Kingdom. It placed, practically, the production of such works in Canada on the same footing as foreign reprints. The Canadian Act of 1875 then received the Royal Assent.

It is unnecessary that I should refer in detail to this Act, but it may be proper to state that it seems most liberal and fair in its provisions. It permits an author at any time, having printed his book in Canada, to obtain copyright there. It permits the original author's edition to be imported at all times, so that superior and revised editions may always be procured.

It established interim copyright, so as to protect a work while passing through the press. It provided for temporary copyright, to cover the case of works published in serial form, and it extended all the privileges of copyright in Canada to any British subject, and to the subjects of any country which has a treaty on this subject with Great Britain, and thus removed one of the objections which had been taken in earlier

times to the effect which Canadian copyright legislation might have on negotiations with the United States, if such legislation should permit the reprinting of works copyrighted in the United States.

It was felt that, pending the question of the Dominion being free to legislate on the subject of copyright generally, it was important to have a Canadian copyright system, inasmuch as, since the Imperial Act of 1842, works published in the United Kingdom had copyright in all the Colonies, while for a work published in any one of the Colonies, it was impossible to obtain copyright in the United Kingdom. Our Act, consequently, gave local copyright, protecting the work printed in Canada, and prevented the importation of re-publications of any such work after it should have obtained the local copyright, as the Imperial Act prevented the importation of works which had obtained a British copyright.

I now beg to refer your Lordship to the proceedings of the Copyright Commission of 1876, of which your Lordship was a very prominent member, and in which Canada was represented by the late Sir John Rose. In the portion of the Report of that Commission which deals with the branch of the subject falling under the head of "Colonial copyright," some most important statements and recommendations are made.

First, at section 184, it is admitted that "it is highly desirable that the literature of this country should be placed within easy reach of the Colonies, and that, with this view, the Imperial Act should be modified so as to meet the requirements of colonial readers."

In sections 186, 187, and 188, the following passages occur, which I now beg to cite as confirmation of the narrative which I have given in the early part of this letter, of the effects which immediately followed the Imperial Act of 1842, and as showing that the Canadian Government is now but reiterating an oft-repeated statement the truth of which has long been established and admitted.

"186. These means are not available, and indeed are impracticable owing to the great distances and scattered population in many of the Colonies, and until the cheaper English editions have been published the colonial reader can only obtain English copyright books by purchasing them at the high publishing prices, increased as those prices necessarily are by the expense of carriage and other charges incidental to the importation of the books from the United Kingdom.

"187. Complaints of the operation of the Copyright Act of 1842 were heard soon after it was passed, and from the North American provinces urgent representations were made in favour of admitting into those provinces the cheap United States reprints of English works. In 1846 the Colonial Office and the Board of Trade admitted the justice and force of the considerations which had been pressed upon the Home Government, 'as tending to show the injurious effects produced upon our more distant colonists by the operation of the Imperial law of copyright.' And in 1847 an Act was passed 'to amend the law relating to the protection in the Colonies of works entitled to copyright in the United Kingdom.'

"188. The principle of this Act, commonly known as the Foreign Reprints Act, is to enable the Colonies to take advantage of reprints of English copyright books made in foreign States, and at the same time to protect the interests of British authors."

The result of the "Foreign Reprints Act" is thus stated in sections 193 and 194:—

"193. So far as British authors and owners of copyright are concerned, the Act has proved a complete failure. Foreign reprints of copyright works have been largely introduced into the Colonies, and notably American reprints into the Dominion of Canada, but no returns, or returns of an absurdly small amount, have been made to the authors and owners. It appears from official reports that during the 10 years ending in 1876, the amount received from the whole of the 19 Colonies which have taken advantage of the Act was only 1,155*l.* 13*s.* 2*d.*, of which 1,084*l.* 13*s.* 3*d.* was received from Canada, and that of these Colonies seven paid nothing whatever to the authors, while six now and then paid small sums amounting to a few shillings.

"194. These very unsatisfactory results of the Foreign Reprints Act, and the knowledge that the works of British authors, in which there was copyright, not only in the United Kingdom, but also in the Colonies, were openly reprinted in the United States, and imported into Canada without payment of duty, led to complaints from British authors and publishers; and strong efforts were made to obtain the repeal of the Act."

The request which I have been pressing in this letter, and the grievances which the Canadian Copyright Act of 1889 was intended to remove, are thus summarised in section 195:—

"Section 195. A counter-complaint was advanced by the Canadians. They contended that although they might still import and sell American reprints on paying the duty, they were not allowed to re-publish British works, and to have the advantage of the trade, the sole benefit of which was, in effect, secured for the Americans; in defence of themselves against the charge of negligence in collecting the duty, they alleged that, owing to the vast extent of frontier and other causes, and also from the neglect of English owners of copyright to give timely notice of copyright works to the local authorities, they had been unable to prevent the introduction of American reprints into the Dominion.

"196. The Canadians proposed that they should be allowed to re-publish the books themselves under licenses from the Governor-General, and that the publishers so licensed should pay an excise duty of 12 per cent. for the benefit of the authors. It was alleged that by these means the Canadians would be able to undersell the Americans, and so effectually to check smuggling; and further that the British author would be secured his remuneration, as the money would be certain to be collected in the form of an Excise duty, though it could not be collected by means of the Customs. Objections, however, were made to the proposal, and it was not carried out.

"197. These considerations led to the suggestion that re-publication should be allowed in Canada under the authors' sanction, and copyright granted to the authors in the Dominion; and upon this a question arose whether Canadian editions, which would be probably much cheaper than the English, should be allowed to be imported into the United Kingdom and the other Colonies."

The report then proceeded to state the substance of the Canadian Act of 1875, and intimated, what was no doubt correct, that too short a time had elapsed, since its sanction, to ascertain its full effect.

In sections 206, 207, and 208 the following liberal recommendations were made in favour of the Colonies.

"206. We recommend that the difficulty of securing a supply of English literature at cheap prices for colonial readers be met in two ways: 1st. By the introduction of a licensing system in the Colonies; and, 2nd. By continuing, though with alterations, the provisions of the Foreign Reprints Act.

"207. In proposing the introduction of a licensing system, it is not intended to interfere with the power now possessed by the Colonial Legislatures of dealing with the subject of copyright, so far as their own Colonies are concerned. We recommend that in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a Colony, and in case no adequate provision be made by re-publication in the Colony or otherwise, within a reasonable time after publication elsewhere, for a supply of the work sufficient for general sale and circulation in the Colony, a license may, upon an application, be granted to re-publish the work in the Colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent. on the retail price, as may be settled by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should be made by such law.

"208. We do not feel that we can be more definite in our recommendation than this, nor indeed do we think that the details of such a law could be settled by the Imperial Legislature. We should prefer to leave the settlement of such details to special legislation in each Colony."

I am unable to find that these recommendations were dissented from by any member of the Commission, even by the gentleman who represented the Copyright Association of Great Britain, and whose letter is annexed to your Lordship's Despatch of the 25th of March last.

The report seems to have been concluded on the 25th May 1878, but the recommendations which I have quoted, like so many others, in favour of the Colonies on the subject of copyright, have, unfortunately, not been carried into execution.

Your Lordship cannot then be surprised that, after Earl Grey's promise of more than 40 years ago, and after more than 22 years' of agitation on the part of Canada, by addresses from both branches of our Parliament, by memoranda from our Ministers of Finance and Agriculture, by Minutes of Council, and by statutes passed unanimously in both Houses, introduced by three successive Governments, representing opposite political opinion, and with encouragements held out at every stage of the agitation to expect a reasonable and favourable consideration of our representations by Her Majesty's Government, the Canadian Parliament believed, in 1889, that the Act then passed, to give effect to what had so often been asked for, to what had never been refused, and to

what had been recommended by the highest authorities in Great Britain, after most mature deliberation, should receive a favourable consideration at the hands of Her Majesty's Government when the Government of Canada asked for the assent of Her Majesty's Government to the issue of a Proclamation to bring it into force.

I respectfully refrain from discussing here the legal difficulties by which your Lordship has been impressed, as to the power of the Parliament of Canada to pass such an Act, because, I understand that I have your Lordship's permission, to discuss that subject separately, and because it in no way relates to the principle under discussion on this occasion.

Hitherto it has always been either assumed on the part of Canada and Great Britain, or distinctly asserted on the part of Great Britain, that Canada had not the power to pass such an Act, but hope has always been held out that Canada should obtain the power, and I therefore submit, that, if your Lordship should continue to be of the opinion that the power does not exist, you will promote legislation to set that question finally at rest, by conferring the power; and that, if you should be of the opinion that the power may exist, you will advise Her Majesty to consent to the issue of a Proclamation to bring the Act of 1889 into force, under the assurances which have been offered, that a most respectful consideration will be given to any suggestion for the improvement of the measure which your Lordship may think proper to make, after hearing all that may be advanced on both sides.

In the Despatch of the 25th March your Lordship suggested that the Government of Canada would doubtless fully consider whether it would not be well, and be desirable, to leave the law as it now stands, until it should be seen what action would be taken in the United States on the subject of copyright. The action of the United States has since been announced. It is the action which has followed every attempt to establish a copyright arrangement with the United States during the last 25 years. The only measure which has ever been offered in the United States Congress, looking to international arrangement, or forming, in any way, the basis for international arrangement, has exacted, as an indispensable condition to American copyright (whether treaty or statutory) reprinting in the United States. Those who are most intimately acquainted with the state of public opinion in that country are confident that that condition will never be dispensed with. We have seen that every measure looking to an international arrangement, even with that condition included, and even the measure which was pending when your Lordship's Despatch was written, has been rejected by Congress.

It is not too much then, I hope, to ask that a final decision of the case of Canada should no longer be postponed to await the action of the United States.

Permit me to add, in this regard, a repetition of two points, which I have already hinted at. First, that the present policy of making Canada a market for American reprints, and closing the Canadian press, for the benefit of the American press, in regard to British copyright works, has a direct tendency to induce the United States to refuse any international arrangement. Second. That, inasmuch as the existing Canadian copyright law affords protection to the copyright holder in every country which may make a treaty with Great Britain, it cannot be suggested, as it once was, that self-government in Canada, on this subject would, in the least, impede negotiations with the United States for an international arrangement.

I am, &c.

JOHN S. D. THOMPSON,
Minister of Justice of Canada.

No. 10.

COLONIAL OFFICE to BOARD OF TRADE.

SIR,

Downing Street, July 17, 1890.

In reply to your letter of the 9th of July,* I am directed by Lord Knutsford to transmit to you, to be laid before the Board of Trade, a copy of the Canadian Copyright Act Amendment Act of 1889,† together with copies of the correspondence‡ which has passed with the Governor General of Canada on the subject.

The question is still under the consideration of Her Majesty's Government.

I am, &c.

JOHN BRAMSTON.

* No. 8.

† No. 1.

‡ Nos. 2, 3, 6, and 7.

No. 11.

COLONIAL OFFICE to FOREIGN OFFICE and BOARD OF TRADE.

[Answered by Nos. 12 and 14.]

SIR,

Downing Street, August 5, 1890.

I AM directed by Lord Knutsford to transmit to you, to be laid before the Marquess of Salisbury, a copy of a memorandum* by Sir J. S. Thompson, Minister of Board of Trade, Justice in Canada, on the subject of the Canadian Copyright Act of 1889.

Lord Knutsford would be glad if the Marquess of Salisbury Board of Trade would take these papers into consideration in connexion with the papers forwarded in the letter from this Department referred to, and favour him with any observations which ^{he}_{they} may have to offer on the subject.

I am, &c.

JOHN BRAMSTON.

No. 12.

BOARD OF TRADE to COLONIAL OFFICE.

(Received August 18, 1890.)

[Answered by No. 17.]

Board of Trade (Railway Department), London, S.W.,
August 16, 1890.

SIR,

I AM directed by the Board of Trade to acknowledge the receipt of Mr. Bramston's letter of the 5th instant,† enclosing copy of a memorandum by Sir J. S. Thompson, Minister of Justice in Canada, on the subject of the Canadian Copyright Act, 1889, and asking for the observations of the Board of Trade on the subject.

In reply, I am to state, for the information of Lord Knutsford, that the Board of Trade do not understand that their observations are asked for as to the competency of the Dominion Parliament to pass the Act in question. Upon this point, therefore, they only desire me to say that uniformity of Imperial statute law as regards matters of such Imperial interest as copyright becomes seriously impaired if Colonial Parliaments are enabled to make provisions of special application.

As regards the provisions of the Act under notice, the Board of Trade are of opinion that Clause 1, which makes the printing and publishing or producing in Canada, or the reprinting and republishing or reproducing in Canada, within one month after publication or production elsewhere of a copyrighted work, and also Clause 3, which empowers any person or persons domiciled in Canada to print and publish or to produce the work for which copyright might have been obtained but for the neglect of the person entitled to copyright to take advantage of the provisions of the Act, are both inconsistent with Imperial legislation and with the International Convention.

The Board of Trade freely admit the disadvantages under which publishers in the Dominion suffer in consequence of the action of publishers in the United States. The latter are untrammelled by any international copyright law or treaty, while the Canadian publisher is not free to reprint except with the permission of the holder of the copyright. But it appears to the Board of Trade that the effect of the Canadian Act would be to enable Canadian publishers to take the very course of which strong complaints are made in the case of American publishers, and that it would deter, rather than encourage, the efforts of all those interested in bringing United States law into conformity with Imperial legislation, and in moving the United States Government to join the International Convention.

The Board of Trade cannot anticipate that the ultimate effect of the Act will be for the advantage of Canadian publishers; but, however that may be, they are clearly of opinion that the proposed Act is against the interests of British authors. They believe that the true method of removing the disadvantages of which the Canadian publishers complain is to be sought rather in the amendment of legislation and procedure in the United States than the adoption of such retaliatory action as the proposed Act seems to seek to establish.

Under these circumstances, the Board of Trade direct me to state that there do not appear to be any special reasons why the Secretary of State for the Colonies should take an exceptionally favourable view of the application of the Dominion Government.

I am, however, to add that the Board of Trade have given great consideration to the complaint referred to in Sir John Thompson's memorandum as to the effect of the Act of 1842, by which copyright is given to any person publishing a literary work in the United Kingdom, if he is a subject of Her Majesty, or resident in any part of Her Majesty's dominions. It is very doubtful whether an alien belonging to a country not party to the Union should have the privilege of obtaining copyright in Her Majesty's dominions for a work published in that country by mere residence in Her Majesty's dominions; and the Board of Trade will be very glad to consider in consultation with the Colonial Office and the Foreign Office, whether it might not be possible, without interference with the Convention or the International and Colonial Copyright Act, to amend the Act of 1842 by withdrawing such a privilege from citizens of States not parties to the Convention.

I am, &c.

HENRY G. CALCRAFT.

No. 13.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.
(Received September 1st, 1890.)

Stanley House, New Richmond, P.Q.,

August 18, 1890.

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of an approved Minute of the Privy Council of Canada concurring in the views expressed in the letter appended, dated London 14th July,* from Sir John Thompson to your Lordship with respect to the Copyright Act of Canada.

I have, &c.

STANLEY OF PRESTON.

Enclosure in No. 13.

CERTIFIED COPY of a REPORT of a COMMITTEE of the HONOURABLE the PRIVY COUNCIL, approved by His Excellency the GOVERNOR GENERAL IN COUNCIL, on the 7th August 1890.

The Committee of the Privy Council have had under consideration the annexed letter, dated London, 14th July 1890,* from Sir John Thompson, Minister of Justice, to the Right Honourable the Secretary of State for the Colonies, with respect to the Copyright Act of Canada.

The Committee concur in the views therein expressed, and they advise that your Excellency be moved to forward a copy hereof to the Right Honourable the Secretary of State for the Colonies, and that a copy be also sent to the High Commissioner for Canada.

All which is respectfully submitted.

JOHN J. MCGEE,

Clerk, Privy Council.

No. 14.

FOREIGN OFFICE to COLONIAL OFFICE.
(Received September 3, 1890.)

[Answered by No. 15.]

(Extract.)

Foreign Office, September 1, 1890.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 5th August,† enclosing a copy of a memorandum by Sir J. S. D. Thompson on the subject of the Canadian Copyright Act, 1889.

In reply, I am to request you to state to Lord Knutsford that there appear to be very serious objections to this Act.

* No. 9.

† No. 11.

Lord Salisbury would suggest that the Board of Trade, the Incorporated Society of Authors, and the Copyright Association should be consulted before any decision is come to as to the course to be pursued; and his Lordship would be glad to be placed in possession of any observations which may be made on the subject by the Board of Trade or by the societies in question.

In view of the importance of the subject in regard to international copyright, his Lordship would be glad that no final decision should be taken without the concurrence of this Office.

No. 15.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, HANCOCK RD TORONTO

Downing Street, September 17, 1890.

WITH reference to your letter of the 1st instant,* and to previous correspondence respecting copyright in Canada, I am directed by Lord Knutsford to transmit to you, for communication to the Marquess of Salisbury, a copy of a letter† from the Board of Trade, and to state that the Copyright Association and the Incorporated Society of Authors have been invited to express their opinions on the subject.

I am to observe that the report of the Royal Commission on Copyright of 1878 and the unanimous recommendation of the Commissioners (p. xxxiii. of C.—2036, 1878), in favour of the introduction of a licensing system in the Colonies appear to have been overlooked. It is true that Mr. Daldy, one of the Commissioners, now takes a different view to that which he then apparently entertained, but Lord Knutsford sees no reason to withdraw his concurrence in that part of the Report which relates to Colonial copyright. The licensing system was recommended as a means of securing a supply of English literature at cheap prices for Colonial readers, and the International Copyright Act of 1886, although it removed one grievance, caused by the Copyright Act of 1842 (5 & 6 Vict. c. 45), by giving to a person who publishes a book in a colony the same privileges that he would have been entitled to by publication in this country, does not affect the question of supply of English works in the Colonies.

It was with a view to enabling the Colonies to obtain a cheap supply of such literature that the Imperial Act of 1842 was amended by that of 1847, as complaints of the operation of the former Act, the justice and force of which were admitted (*vide* paragraph 187 of the Copyright Commissioners' Report) were pressed upon Her Majesty's Government. The latter Act has, however, been confessedly a failure, and the question to be considered seems to be whether Imperial legislation should be resorted to to enable the Canadians to adopt a system recommended by the Royal Commission.

No doubt the condition attached by the Royal Commission to that recommendation, that a license should only be granted after a reasonable time after publication in England, is very important, and this point was pressed upon the Canadian Government in Lord Knutsford's Despatch of the 25th of March last.‡ But this is a matter for subsequent settlement, and does not interfere with the main principle; and Sir J. Thompson in his letter of the 14th of July last,§ remarks, with especial reference to this point, that "any details which are felt to be unfair or inadequate, in view of all the interests involved, will, I am sure, be reconsidered by the Parliament of Canada."

You will observe that the letter from the Board of Trade now communicated to you does not refer to the report of the Royal Commission.

I am, &c.

ROBERT G. W. HERBERT.

No. 16.
COLONIAL OFFICE to THE COPYRIGHT ASSOCIATION and the
SOCIETY OF AUTHORS.

[Answered by Nos. 18 and 21.]

SIR, Downing Street, September 17, 1890.
I AM directed by Lord Knutsford to transmit to you a copy of a letter from Sir J. Thompson,* Minister of Justice of Canada, respecting copyright in the Dominion. I am also to enclose copies of the Canadian Copyright Act of 1889† with Sir J. Thompson's report‡ upon it and of Lord Knutsford's Despatch of the 25th of March last,§ to which Sir J. Thompson refers in his letter to this Department. These papers show the questions which are at issue, and his Lordship would be glad to be favoured with any observations which the Copyright Association Inc. Socy. of Authors may desire to make upon them.

I am, &c.

ROBERT G. W. HERBERT.

No. 17.

COLONIAL OFFICE to BOARD OF TRADE.

SIR, Downing Street, September 17, 1890.
I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 16th ultimo,|| respecting the Canadian Copyright Act, 1889. I am to observe that the licensing system, under which an English book may be republished in a colony under certain conditions, was suggested and approved of unanimously by the Royal Commission on Copyright of 1878, and although Mr. Daldy, one of the Commissioners, now dissents from that view, his Lordship sees no reason to withdraw the opinion which he then arrived at in conjunction with the other Commissioners. The recommendation of that body, as will be seen by reference to their Report (C.—2036) under the head of "Colonial Copyright" was made with a view to removing complaints which arose from the operation of the Imperial Act of 1842, and which were only partly and imperfectly dealt with by the Act of 1847 and the Orders in Council passed under it.

His Lordship is in communication with the Foreign Office, the Copyright Association, and the Incorporated Society of Authors on the subject.

I am, &c.

ROBERT G. W. HERBERT.

No. 18.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received November 4, 1890.)

4, Portugal Street, Lincoln's Inn Fields, W.C.,

MY LORD, November 3, 1890.

IN answer to the letter from Mr. Robert Herbert of the 17th September 1890,¶ I have the honour to inform your Lordship that a meeting of the general committee of the Incorporated Society of Authors, including the sub-committee on copyright, has been held to consider the questions raised by Sir T. Thompson in his report to your Lordship of July 14th, 1890. I am directed by the committee to inform your Lordship as follows:

(1.) They can express no opinion on the question of the general policy which Her Majesty's Government may think fit to adopt towards Canada with regard to the question of copyright.

(2.) They hope, however, that if Her Majesty's Government think fit to undertake legislation in order to give effect to the principles of the Canadian Copyright Act such legislation will embody due precautions for making the collection of royalty charges really efficient.

(3.) They submit that the clauses relating to the collection of royalty charges as drafted in the Canadian Copyright Act 52 Vict. c. 29 are not sufficient for the proper collection thereof, and,

* No. 9.

† No. 1.

‡ Enclosure in No. 3.

§ No. 6.

|| No. 12.

¶ No. 16.

(4.) It appears to the Committee to be doubtful whether the Canadian Copyright Act 52 Vict. c. 29 does not purport to abolish copyright altogether unless the person entitled thereto reprints or republishes in Canada within one month after printing or publishing elsewhere. At best the language of the Act is ambiguous on this point.

I am, &c.

W. OLIVER HODGES.

No. 19.

LORD KNUTSFORD to LORD STANLEY OF PRESTON.

[Answered by No. 22.]

MY LORD,

Downing Street, November 8, 1890.

WITH reference to your Despatch of the 18th of August,* I have the honour to transmit to you, to be laid before your Ministers for any observations which they may wish to offer, a copy of a letter† from the Incorporated Society of Authors respecting the proposed Canadian Copyright legislation.

I have, &c.

KNUTSFORD.

No. 20.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR,

Downing Street, November 8, 1890.

WITH reference to your letter of the 1st of September last,‡ I am directed by Lord Knutsford to transmit to you, for the information of the Marquis of Salisbury, a copy of a letter† from the Incorporated Society of Authors on the subject of the Canadian Copyright Act of 1889.

I am, &c.

JOHN BRAMSTON.

No. 21.

F. R. DALDY, Esq., to COLONIAL OFFICE.

(Received December 15, 1890.)

[Answered by No. 23.]

MY LORD,

Aldine House, Belvedere, Kent,

December 13, 1890.

I HAVE the honour of sending to your Lordship, herewith, four copies each of Sir John Thompson's Report on Copyright,§ Sir John Thompson's Memorandum on Copyright,|| and the Copyright Association's remarks on the above documents. I avail myself of the opportunity to thank your Lordship again for submitting them to the consideration of the association, and venture to express a hope that the points to which they have drawn attention will prevent further action being taken on the subject; especially now that the American Bill on the subject is nearly sure to be passed.

I have, &c.

F. R. DALDY.

Enclosure in No. 21.

To the Right Hon. LORD KNUTSFORD, G.C.M.G., Her Majesty's Principal Secretary of State for the Colonies.

MY LORD,

London, November 1890.

ON behalf the Copyright Association I beg to acknowledge the receipt of a copy of—

Your Lordship's Despatch to the Governor-General of Canada dated 25th March 1890;

Sir John Thompson's Report to the Canadian Privy Council, August 3, 1889; and His Memorandum on the Canadian Copyright Bill of 1889, addressed to your Lordship under date 14th July 1890.

* No. 13.

§ Enclosure in No. 3.

† No. 18.

‡ No. 14.

|| No. 9.

I am desired by the Association to thank your Lordship for your courtesy in submitting these documents to their consideration, and to offer to your Lordship on their behalf the following observations respecting them.

Noting their sequence, with reference to the subject under consideration, I would first draw your Lordship's attention to the observation in paragraph 3 of Sir J. Thompson's Report to the Canadian Privy Council, that "important interests are involved," to enable me to ask what are those interests which are so important to Canada?

It cannot be the interests of the Canadian public and readers, for they are amply provided for by the Act of 10 & 11 Vict. cap. 95, and consequent Canadian legislation, and no complaint whatever is made that the Canadian public is debarred from getting cheap editions of English books, and if the Canadians are anxious to cheapen books to the Canadian public why do they impose a 15 per cent. customs duty on all imported copies.

Neither can it be the interests of Canadian authors, for the proposed Bill would effectually restrict these interests by limiting Canadian Copyright to the Canadian Dominion, whereas it now extends to Great Britain and all the rest of the British Dominions, and also throughout the countries in the International Copyright Union.

These important interests can, therefore, only be the printing and publishing interests in Canada.

I think it very desirable to draw your Lordship's close attention to this point, because it demonstrates that the whole demand for injuring British authors' interests is made for the commercial benefit of Canadian printers and publishers. It enables me also to remind you that the only object of copyright legislation throughout the civilised world has hitherto been the protection of the authors' rights, untrammelled by commercial considerations. Even in the protective legislation of the United States of America no provision is made for compelling an American author to *print* his work in his own country.

I feel, therefore, that I am justified in earnestly requesting your Lordship not to take any steps to derogate from the present rights of all British authors, merely for the problematical advantage of Canadian printers.

I say problematical advantage because their legitimate commercial aspirations can be fairly satisfied by other means—to wit, by the Canadian Government carrying out their Act of 1850. The royalty levied by that Act is $12\frac{1}{2}$ per cent., and the customs duty on imported books is 15 per cent., making together a protective duty of $27\frac{1}{2}$ per cent. in favour of the Canadian printer and publisher. I cannot realise that any printer or publisher has a right to expect, for his own benefit, more protection than this; and in connexion with this request from Canada I may observe, that it was in deference to her wishes that the Act of 1847 was passed, and that it removed her complaint that her people could not get their literature at a sufficiently cheap rate.

In paragraph 7 Sir John Thompson charges British authors and publishers with greatly abusing their rights by the sale of their copyright privileges to the United States. He must be aware that English authors have not any copyright privileges in the United States, and that the privilege of selling their editions in Canada is only resorted to by bargain with the American publisher, because no effort worth notice has been made by the Canadian publisher to buy the right to issue them. In the instances in which Canadian publishers have offered satisfactory arrangements, before the American publisher intervened, he has generally succeeded. Messrs. Lovell, of Montreal, and Mr. Bryce, of Toronto, have made such arrangements, but *direct with the author* or his representative, not by forcibly depriving him by Act of Parliament of all control over the fruit of his own labour. The difficulty of the Canadian publisher, which he hopes to overcome by the Bill under consideration, is mainly of his own creation. The present law enables him to publish any author's work if he will, as all other publishers do, make it to the author's interest to do so; and even if authors became blind to their own interests, it is hardly the function of a hostile Act of Parliament to insist on their accepting the views of the Canadian publisher as to what their interests are. He has the right to sell his property to what he considers his best advantage without being charged with abusing the law.

Paragraph 6 undoubtedly refers to a blot in our copyright laws of 1842 which ought to be remedied, and I should be glad to see this complaint met by Her Majesty's Government enacting that the citizens of any country not belonging to the International Copyright Union can only acquire copyright within the British Empire on the terms on which the said country grants copyright to authors belonging thereto.

Paragraph 17 to the end deals with a subject which I think it is rather beyond our province to go into with your Lordship. It has had the attention of the Copyright Association, as is evident by their procuring the opinion of Lord Selborne and Lord

Herschell (which have in times past been sent to your Lordship). They consider these opinions sound and trustworthy, and they are strengthened in that view by the recent opinion of the Law Officers of the Crown, referred to in the second paragraph of your Lordship's Despatch of March 25th, 1890.

I venture now to make some references to Sir John Thompson's Memorandum on Copyright, dated July 14, 1890. My references are to the printed copy which I herewith enclose.

On page 7 I am said to be "hostile to any measure by which the right of any colony to self-government on this subject may be asserted or conceded." I certainly think that on such a subject as copyright, the author's rights, both by common law and by statute, should remain in their essential features uniform throughout the whole British dominions. They are so in every other country, and for very good reasons. It has been felt that the principle of protecting an un-earmarked property is peculiar, but thoroughly consonant with the due necessity for protecting the fruit of a man's brain; that grievous wrongs have resulted from the non-recognition of this principle, and that separate and multiplied legislation in each Colony would irrevocably undermine those common rights which are recognised in every civilised country. Especially do I feel that it is unwise to break that uniformity in such a case as the present, in which the whole of the British dominions are treated by the Imperial Parliament exactly alike.

If any new principle required discussing and incorporating in our copyright legislation, I would suggest that a Commission, including some representatives of the Colonies, should meet to consider it, but no principle of copyright is involved, but only that local printers should, under certain circumstances, have a right conferred on them by Act of Parliament to print and publish an author's works without his consent; and on terms dictated therein. I regard this as an unwarrantable and un-called for interference with the right of freedom of contract. Nothing is to be gained by it, but, as I have said before, the problematical advantage of the printer and publisher, who will not take the trouble to buy and sell in the open market, as every other trader does.

I need not refer to what has taken place in correspondence with Canada (*see* page 8), beyond repeating that the Act 10 & 11 Vict. satisfied, and I have reason to believe still satisfies, Canadian readers, and was a fulfilment of the promises made by the Imperial Government to Canada, but I must add that the printer's grievances have to a great extent arisen from the neglect of Canada in carrying it out.

I do not underrate the difficulty of the Canadian frontier, but as I pointed out to Sir John Thompson in the letter to which he refers on page 7, if the Canadians adopt the plan used in most of the other Colonies they can easily overcome them and do more justice to British authors, who look askance at Canadian legislation when they find its government so continuously neglecting an Act it has already passed, and they naturally shrink from placing themselves at the mercy of further similar legislation. Notwithstanding the surrounding difficulties Canada could by reasonable exertion have made arrangements to prevent the pecuniary injuries inflicted by studious neglect of their own agreement. Nearly all the Colonies to which the Act is applied stamp each imported book, and if Canada did so, and rendered each unstamped copy liable to seizure by any person when exposed or offered for sale, and would give that person the book seized on his getting it stamped, the result would be a more honourable carrying out of the Act, and the Canadian publisher who wished to issue an edition by arrangement with the author would have more encouragement to do so. Sir John Thompson writes (on page 16) as if we legislated for the United States, and complains that United States editions are introduced into Canada; but we cannot control the municipal legislation of the United States, and it was at the express request of Canada that the Act admitting United States editions under certain conditions was passed.

As to the American publisher outbidding the Canadian publisher (*see* page 18), it must be borne in mind that this arises from the difference in population. Canada has less than 3,000,000 of English-speaking inhabitants (not 5,000,000, as Sir John Thompson says), and the United States 40,000,000 to 50,000,000. Yet, if the Canadian publisher exerted himself as the American publisher does, he could, and Messrs. Lovell & Co. and Mr. Bryce do, often issue a Canadian edition for the author, and exclude thereby the United States edition. He need not go to Parliament for powers to do this.

I do not think I need answer Sir John Thompson in further detail, because nearly all the Canadian complaints arise from their not carrying out the Act of 1847 (10 & 11 Vict. c. 95). If they now suffer from this cause, at least I think we may call on them to carry it out fully, and ascertain the result before asking the Imperial Government to help them in disintegrating the law as it now stands.

The Copyright Association is emphatically of opinion that the law ought not to be altered as required by Canada, and consider it their duty to do all in their power to oppose the present scheme.

The suggestion of issuing licensed editions, made by the Royal Commission on Copyright, was limited to cases in which "no adequate provision was made, within a reasonable time after publication elsewhere, for a sufficient supply of the work for general sale and circulation in the Colony," and cannot apply to Canada, for her complaint is that foreign reprints are circulated too freely, and that she is not allowed to afford trade protection to her manufactures by making them herself, without buying the right to do so from the author. She admits that she can do so by buying that right, but shrinks from making the arrangement.

The difficulties which would arise from the issuing of licensed editions, as proposed by the Canadian Act, appear to me so great that they practically destroy the very principle of copyright. Licensed editions would, under any circumstances, rob the author of the control of the fruit of his own brain and labour, and interfere with his property to the extent of compelling him to sell it at a fixed price. They would prevent his having any oversight of his writings, and this is not unimportant, for I have heard of cases in which a publisher employed another writer to finish a novel because the author did not issue it fast enough to suit his purposes. The author would be unable to bring out any revised or improved editions; a point to which the late Lord Lytton attached great importance. He could not choose his own publisher. He could not control the accuracy of his writings, which in many cases is of vital importance, not only to his popularity, but to his reputation. Indeed, it has been realised that these editions would lead to inextricable confusion.

As a case in point, I may refer to a theological work which some English publishers have been preparing. "An author is bringing out a few copies of an abstract of a theological work, for which he expects some circulation in Canada (because he is well known there), with a view to learn whether the public will give him sufficient encouragement to treat the subject more fully." If a licensed edition be issued he would be barred from bringing out his complete work, because it would necessarily include the smaller, and for this he would have lost his copyright in Canada, and could not even reprint it himself without a license.

Again, take the novel, the class of work most likely to circulate largely there. Mr. Blackmore's popular novel, "Lorna Doone," did not attract sufficient attention for the first six months to justify his reprinting it in Canada, but afterwards it sold there very largely. Yet by this Act he would have lost his copyright there. Again, how is he to get adequate remuneration? Take the case of a novel by Edna Lyall passing through "Good Words." What is to prevent a local newspaper reprinting each portion as it appears; and is the royalty to be paid on the whole of each number of the paper, or only in proportion to the space it occupies in it? Or if Farjeon's last novel, issued complete, were republished in a Canadian periodical, extending perhaps over 12 numbers, how is he to be paid? Again, if the novel is issued as a supplement to a newspaper or periodical and given gratis, how is the author to be paid?

Remember an author is barred from supplying very cheap editions direct now, because the law cannot prevent their being returned to England or sent to other Colonies to compete with his home editions. This objection would also apply to the above Canadian cheap edition, and therefore he is bound, for his own protection, to be able to put his works into the hands of a publisher he can trust, and also to bind him, under written agreement, not to send them to England or the other Colonies.

Your Lordship, in concluding your Despatch, says that "It is your desire to assist as far as possible any well-considered measure which, while substantially preserving the rights of copyright proprietors under the Imperial Act, will meet the wishes of the Canadian people."

In this desire I am requested to assure you that the Copyright Association participate, but they feel very strongly that no author ought to be deprived of the control of the product of his own brain and labour, and that no plea for the protection of a Canadian industry would justify the sanctioning of such a step.

I am, &c.

F. R. DALDY,

H. Sec. to the Copyright Association.

No. 22.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.
(Received January 6, 1891.)

[See No. 24.]

Government House, Ottawa,
December 20, 1890.

MY LORD,

WITH reference to previous correspondence on the subject of the Act passed by the Parliament of Canada in 1889, entitled "An Act to amend the Copyright Act,"* and to your Lordship's Despatch of the 8th ultimo,† forwarding copy of a letter from the Society of Authors on the copyright question, I have the honour to enclose a copy of an approved minute of the Privy Council concurring in a Report by the Minister of Justice, who suggests the passing of Imperial legislation which shall authorise the Canadian Parliament to deal with the question of copyright notwithstanding any such legislation heretofore passed in relation to this subject. Your Lordship will observe also that the Minister in his Report deals fully with the points raised in the letter enclosed in your Lordship's Despatch above mentioned.

I have, &c.

STANLEY OF PRESTON.

Enclosure in No. 22.

CERTIFIED COPY of a REPORT of a COMMITTEE of the HONOURABLE the PRIVY COUNCIL approved by His Excellency the GOVERNOR GENERAL in COUNCIL, on the 18th December 1890.

THE Committee of the Privy Council have had under consideration a Report dated 15th December 1890, from the Minister of Justice calling attention to a Minute of Council approved by your Excellency under date the 17th August 1889, on the subject of an Act passed by the Parliament of Canada in the session of that year entitled "An Act to amend the Copyright Act."

The Committee concurring in the said report advise that your Excellency be moved to forward a copy to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,
Clerk, Privy Council.

To His Excellency the GOVERNOR GENERAL in COUNCIL.

Department of Justice, Canada, Ottawa,
December 15, 1890.

THE undersigned has the honour to call your Excellency's attention to the Report which he made to your Excellency on the 3rd August 1889, on the subject of an Act passed by the Parliament of Canada in the session of that year entitled "An Act to amend the Copyright Act."

The Act referred to has not yet been brought into operation as it awaits the signification of the pleasure of Her Majesty's Government that a proclamation should be issued by your Excellency to bring it into force.

In the same connection, the undersigned begs to call your attention to the Despatch from Lord Knutsford to your Excellency, dated 25th March 1890, in which his Lordship is pleased to signify a desire that the matter should be further considered by your Ministers, and in which his Lordship concluded by expressing every desire to assist as far as possible in any well-considered measure which would substantially preserve the rights of copyright holders under the Imperial Act and would at the same time meet the wishes of the Canadian people.

In the month of July 1890, the undersigned had the honour personally to press upon the attention of Lord Knutsford the arguments in favour of the position assumed in the report of the undersigned of the 3rd August 1889, both as to the powers of the Parliament of Canada and as to the reasons why such an Act as the Copyright Act of 1889, should be adopted and be allowed to go into operation.

* No. 1.

† No. 19.

By permission of his Lordship the views which were then pressed upon this consideration were expressed in writing in a letter from the undersigned to his Lordship, dated 14th July 1890, and the views set forth in that letter were approved by your Excellency in Council on the 7th August last.

The undersigned has had referred to him, in this connection, a despatch from Her Majesty's Principal Secretary of State for the Colonies, dated 8th November last, transmitting a letter to his Lordship from Mr. W. Oliver Hodges, Honorary Secretary of the Copyright Committee of the Society of Authors, in answer to a letter from Sir Robert Herbert of the 17th September 1890.

Mr. Hodges informs Lord Knutsford that a meeting of the General Committee of the Incorporated Society of Authors, including the Sub-Committee on Copyright, had been held to consider the questions raised by the undersigned in his letter to Lord Knutsford of the 14th July 1890, and he states that he was directed by the Committee to inform his Lordship that, while they could express no opinion on the question of the general policy which Her Majesty's Government might think fit to adopt towards Canada with regard to the question of copyright, they hoped that if Her Majesty's Government should think fit to undertake legislation in order to give effect to the principles of the Canadian Copyright Act, such legislation would embody due precautions for making the collection of royalty charges really efficient. They submitted that the clauses relating to the collection of such charges contained in the Canadian Copyright Act of 1889, were not sufficient for the proper collection thereof, and that it appeared to the Committee doubtful whether the Act did not propose to abolish copyright altogether, unless the person entitled thereto should reprint or republish in Canada under its provisions.

The undersigned has now the honour to recommend that an earnest request be made to Her Majesty's Principal Secretary of State for the Colonies that such legislation be brought before the Parliament of the United Kingdom at its present session as may set at rest the questions which have arisen as to copyright in Canada. In making this request your Excellency's Government do not recede from the position which was taken in the report of the undersigned, dated 3rd August 1889, which report was duly approved by your Excellency in Council, but, inasmuch as doubts have been raised as to the power of the Parliament of Canada to pass the Act, it is most desirable and necessary that such doubts should be removed by Imperial legislation. The most satisfactory form, to Canada, in which such legislation should be presented would be by an Act declaring the full authority of Canada to legislate with regard to copyright in this country, notwithstanding Imperial legislation heretofore passed in relation to that subject. Such an Act would only be following the lines of the British North America Act and would only be in accordance with the promises made by Her Majesty's Ministers from time to time, as set forth in the letter of the undersigned to Lord Knutsford of the 14th July.

It would, in the opinion of the undersigned, in view of the doubts which have been expressed, be most desirable that the Canadian Copyright Act of 1889 should also be ratified and confirmed by Imperial legislation.

As regards the objections to the Copyright Act of 1889, stated by Mr. Hodges, the undersigned concurs that great care should be taken to make the collection of royalty charges really efficient. The opinion indicated in the letter of Mr. Hodges, that the clauses relating to such collection which are contained in the Act referred to are not sufficient does not probably make due allowance for the fact that regulations are to be made on that subject by your Excellency in Council, so soon as the Act shall come into force, under the powers conferred by the fourth section. In the approved report of the undersigned, dated the 3rd day of August 1889, it was stated that "the Government of Canada would be prepared to submit to Her Majesty's Government the Regulations which might be adopted under the Act for securing the collection of the royalty and the payment thereof to the proper parties." The undersigned is unable to agree with Mr. Hodges that the effect of the Act of 1889, may be to "abolish Copyright altogether" unless the person entitled thereto reprints or republishes in Canada." The Act merely deals with the subject of the reprinting of copyrighted works, under license, and will not be found, on careful perusal, the undersigned believes, to affect the rights of the holders of copyright in any other particular. Besides this, section 6 preserves the rights of those who may have a copyright, when the Act shall come into force, from being affected even to this extent.

On the points mentioned in the letters of Mr. Hodges, there can be no disagreement between your Excellency's Government and the Society which that gentleman represents as to the recognition of the rights of the holders of Copyright and as to the necessity for making the Act effective.

The undersigned recommends that a copy of this report, if approved, be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

Respectfully submitted, JNO. S. D. THOMPSON,
Minister of Justice.

No. 23.

COLONIAL OFFICE to F. R. DALDY, Esq.

SIR,

Downing Street, January 16, 1891.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 13th of December,* on the subject of the Canadian Copyright Bill.

The matter is receiving Lord Knutsford's attention, and a further communication will be addressed to you when it has been fully considered.

I am, &c.

R. H. MEADE.

No. 24.

LORD KNUTSFORD to LORD STANLEY OF PRESTON.

MY LORD,

Downing Street, March 18, 1891.

WITH reference to your Despatch of the 20th December 1890,† I have to acquaint you that the whole subject of Canadian copyright has been under consideration, but that Her Majesty's Government thought that it would, on the whole, be desirable to delay replying to that Despatch until it was seen how the copyright question would be finally dealt with in the United States.

Your Ministers will doubtless also wish to consider the probable effects in Canada of that legislation.

I have, &c.

KNUTSFORD.

No. 25.

LORD STANLEY OF PRESTON to LORD KNUTSFORD.

(Received November 5, 1891.)

[Answered by No. 34.]

Government House, Ottawa,

MY LORD,

October 19, 1891.

I HAVE the honour to transmit to your Lordship, with a request that it may be laid at the foot of the Throne, an address to Her Most Gracious Majesty the Queen, from the Senate and House of Commons of Canada praying for Imperial legislation conferring upon the Parliament of Canada power to legislate in the interests of the people of the Dominion on all matters relating to the subject of copyright; and praying that notice may be given by Her Majesty's Government of the withdrawal of Canada from the Berne Copyright Convention.

I have, &c.

STANLEY OF PRESTON.

Enclosure in No. 25.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Senate and Commons of Canada in Parliament assembled, humbly beg leave to approach Your Majesty for the purpose of representing:

That by the Statute of Your Majesty's Parliament (5 & 6 Vict. c. 45) the privilege of copyright was given to any person who should publish a literary work in the United Kingdom if he should be a subject of Your Majesty or a resident of any part of Your Majesty's dominions and the republication within the Empire and the importation into the Empire of any copyrighted work was prohibited.

The operation of the above-mentioned Act was attended with great inconvenience to the people of the North American Colonies and formed the subject of formal remonstrances from several of their Legislatures.

These remonstrances were replied to by a Circular despatch from Earl Grey (then Your Majesty's Principal Secretary of State for the Colonies) directed to all the Governors of the North American Colonies. The Circular was in the words following:—

SIR, Downing Street, November 1846.

HER Majesty's Government, having had under their consideration the representations which have been received from the Governors of some of the British North American Provinces complaining of the effect in those Colonies of the Imperial Copyright Law, have decided on proposing measures to Parliament in the ensuing session which, if sanctioned by the Legislature, will, they hope, tend to remove the dissatisfaction which has been expressed on this subject, and place the literature of this country within the reach of the Colonies on easier terms than it is at present. With this view, relying upon the disposition of the Colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent, Her Majesty's Government propose to leave to the local legislatures the duty and responsibility of passing such enactment as they may deem proper for securing both the rights of authors and the interests of the public. Her Majesty's Government will accordingly submit to Parliament a Bill authorising the Queen in Council to confirm, and finally enact any colonial law or ordinance respecting copyright, notwithstanding any repugnancy of any such law or ordinance to the copyright law of this country; it being provided by the proposed Act of Parliament that no such law or ordinance shall be of any force or effect until so confirmed and finally enacted by the Queen in Council, but that from the confirmation and final enactment thereof the copyright law of this country shall cease to be of any force or effect within the Colony in which any such colonial law or ordinance has been made in so far as it may be repugnant to, or inconsistent with, the operation of any such colonial law or ordinance.

I have, &c.

GREY.

The intention of Your Majesty's Government, as expressed in this Circular, has never been carried into effect. The importation from foreign countries of works copyrighted in the United Kingdom was permitted under certain conditions, but the republication of such works in the Colonies, even under any conditions as regards the holders of copyright, has never been permitted, nor has the right of the Legislatures of the provinces or of the Dominion of Canada to make enactments to regulate the law of copyright been recognised by Your Majesty's Government, unless such enactments could be shown to be consistent with and subordinate to the Act of the United Kingdom before mentioned.

Your Majesty's Parliament, in the year 1867, in establishing the Dominion of Canada, gave to its Parliament very extensive powers of government, including the right to legislate on this important subject. The Parliament of Canada has enacted several statutes regulating the law of copyright for Canada. These statutes adopted the provisions which the interests and welfare of the people of this country, as connected with this matter, seemed to require, and at the same time gave liberal protection to the interests of all such persons as had acquired, or might acquire, copyright in the United Kingdom. These statutes have always been regarded by Your Majesty's Government, however, as requiring sanction by the Parliament of the United Kingdom and the most recent of them—passed in Canada in the year 1889—remains inoperative for want of the assent of Your Majesty's Government to a proclamation which will bring it into force.

The provision of the Act of 1889 just mentioned are such as are required in the interests of the people of Canada, and its provisions have not been shown to be in any respect unfair as regards any portion of Your Majesty's subjects. The Act was passed unanimously by both Houses of the Parliament of Canada, and has been earnestly pressed by the Government of Canada upon the favourable consideration of Your Majesty's Government.

While your Memorialists hold the view that such a statute is within the competence of the Parliament of Canada, under the British North America Act, they have been informed that doubts upon that subject has been raised, and they humbly submit that such doubts should be removed by statute of Your Majesty's Parliament giving effect to the Canadian Copyright Act of 1889 at once, and confirming the right of the Parliament of Canada, according to the promise made by Your Majesty's Government in 1846, to make laws on the subject of copyright as may from time to time be required for the country, notwithstanding that such laws may be inconsistent with the provisions of Imperial Statutes passed before adoption of the British North America Act of 1867.

Your Memorialists beg to call attention to the fact that Your Majesty's Royal Commissioners on Copyright, in the year 1876, recommended that the Colonial Legislatures

should be given the right to pass statutes embodying principles precisely the same as those which form the basis of the Canadian Act of 1889 before referred to.

We, therefore, humbly pray, that Your Majesty will be graciously pleased to invite such legislation in the Parliament of the United Kingdom as will remove the doubts herein-before referred to, and explicitly confer upon the Parliament of Canada the power to legislate in the interests of the people of the Dominion on all matters relating to the subject of copyright, without regard to the statutes which may have been in force when the Parliament of Canada was established.

We further pray that, in order to give effect to the Act of the Parliament of Canada of 1889 aforesaid, notice may be given by Your Majesty's Government of the withdrawal of Canada from the Berne Copyright Convention.

The Senate,
Wednesday, 30th September 1891.

JOHN ROSS,
Speaker of the Senate.

House of Commons,
Tuesday, 29th September 1891.

P. WHITE,
Speaker of the Commons.

No. 26.

COLONIAL OFFICE to BOARD OF TRADE and FOREIGN OFFICE.

[Answered by No. 27 and 28.]

SIR, Downing Street, December 7, 1891.
THE Board of Trade are aware from previous correspondence, that in 1889, a THE Marquis of Salisbury is Copyright Act Amendment Act was passed in Canada which was only to come into force upon proclamation by the Governor-General.

This Act was referred to the Board of Trade in the letter from this Department of the Foreign Office 17th of July 1890|| and, after full consideration, Her Majesty's Government decided 11th of March 1890¶ to refuse to instruct the Governor-General to bring it into operation.

This decision was conveyed to the Dominion Government in a Despatch dated the 25th of March 1890,* in which two points were stated for the further consideration of the Dominion Legislature.

(a.) That one month only was allowed for the republication of an Imperial Copyright work so as to secure copyright in Canada, and that in the great majority of cases it would be practically impossible within that time to make the necessary arrangements;

(b.) That the system of licensing was to be allowed without the condition attached to it by the Royal Commission of 1878.

The Dominion Minister of Justice, Sir J. Thompson, replied to these points in his memorandum of 14th of July 1890,† a copy of which was communicated to you in the letter from this Department of the 5th of the following month, and after giving an historical review of the copyright question in Canada since 1842, he asked that power should be given to Canada by Imperial legislation to deal with copyright questions, and that consent should be given to the bringing into operation of the Canadian Act of 1889.

This memorandum was also referred to the Foreign Office Board of Trade and to the Society of Authors and the Copyright Association, copies of whose replies‡ are enclosed.

In despatches§ since received from Canada, of which copies are enclosed, Her Majesty's Government are again asked to introduce legislation declaring the full authority of Canada to legislate with regard to Copyright in the Dominion, and to ratify and confirm the Canadian Act of 1889 by Imperial legislation.

I am to draw particular attention to the Despatch from the Governor-General No. 274 of the 19th of October, enclosing an address to the Queen from the Senate and House of Commons of Canada containing a prayer to the above effect, and further praying that notice may be given by Her Majesty's Government of the withdrawal of Canada from the Berne Copyright Convention.

Lord Knutsford desires me to state that, as at present advised, he thinks the first request of the Dominion Government should not be acceded to, and that for the reasons stated

* No. 6.

† No. 9.
§ Nos. 13, 22, and 25.

‡ Nos. 12, 14, 21, and 18.

¶ Not printed.

|| No. 10.

in his Despatch of the 25th of March 1890, he questions whether it would be right to ratify by Imperial legislation the Act of 1889 in its present shape.

His Lordship is, however, anxious to meet the wishes of the Dominion Government as far as possible, and would propose to inform them that, if the Canadian Legislature will amend the Act by extending the period of one month allowed for republication and adding the condition referred to in his Despatch of 25th March 1890, before the issue of licenses, and submit for approval of Her Majesty's Government satisfactory regulations for making effective the collection of royalties, Her Majesty's Government would be prepared to introduce an Imperial Act for its ratification.

His Lordship would be glad to be informed whether, on further consideration, and having in view the recent legislation upon this subject in the United States, the

Board of Trade concur in this view.
Marquess of Salisbury concurs.

As to the request of Canada to withdraw from the Berne Convention, I am to direct attention to the "Proces-Verbal of signature" which will be found printed at pages 16 and 17 of the Parliamentary Paper noted in the margin, and I am to request that Lord Knutsford may be favoured with the opinion of the Board of Trade on this point. (C.—5167, 1887.)

I am, &c.

JOHN BRAMSTON.

No. 27.

BOARD OF TRADE to COLONIAL OFFICE.

(Received December 31, 1891.)

Board of Trade (Railway Department), London, S.W.,
December 30, 1891.

SIR,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 7th instant,* with its enclosures, on the subject of Canadian copyright; and, in reply, to state that they have forwarded your communication to the Secretary of State for Foreign Affairs, with a suggestion that a meeting of representatives of the Departments interested should, in the first place, be held for the purpose of considering the questions raised.

I am, &c.

COURTENAY BOYLE.

No. 28.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received January 8, 1892.)

(Extract.)

[Answered by No. 30.]

Foreign Office, January 5, 1892.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 7th ultimo,* on the subject of Canadian Copyright; and I am now to inclose, to be laid before Lord Knutsford, a copy of a letter from the Board of Trade suggesting that a Departmental Committee should be appointed to discuss the questions raised, in the first instance.

I am to say, that Lord Salisbury concurs in this suggestion, and will be prepared to appoint a representative of this Department on hearing that Lord Knutsford approves of this course.

Enclosure in No. 28.

Board of Trade (Railway Department), London, S.W.,
December 30, 1891.

SIR,

REFERRING to previous correspondence on the subject of Canadian copyright, I am directed by the Board of Trade to transmit to you, herewith, for the information of the Secretary of State for Foreign Affairs, a letter, in original (with its enclosures), that has been addressed to this Board by the Colonial Office in the matter.

I am at the same time to state that the Board of Trade would suggest, for the consideration of Lord Salisbury, whether it might not be desirable that the questions raised should, in the first instance, be discussed at a meeting of representatives of the several Departments interested.

I have, &c.

COURTENAY BOYLE.

No. 29.

BOARD OF TRADE to COLONIAL OFFICE.
(Received January 12, 1892.)

[Answered by No. 30.]

Board of Trade (Railway Department), London, S.W.,
January 11, 1892.

SIR,

REFERRING to the letter from this Department of the 30th ultimo,* on the subject of Canadian copyright, I am directed by the Board of Trade to enclose, herewith, to be laid before Lord Knutsford, copy of a communication that has been addressed to this Department by the Foreign Office in this matter.

The Board of Trade would be glad to learn in due course whether Lord Knutsford concurs in the proposal that the questions now raised should, in the first instance, be discussed by a departmental committee.

I am, &c.

COURTENAY BOYLE.

Enclosure in No. 29.

SIR,

Foreign Office, January 7, 1892.

IN reply to your letter of the 30th ultimo, I am directed by the Marquess of Salisbury to state, for the information of the Board of Trade, that his Lordship concurs in the suggestion that the questions now raised as to Canadian copyright should, in the first instance, be discussed by a Departmental Committee; and that, on learning that Lord Knutsford approves of this course, his Lordship will be prepared to direct a gentleman to represent this Department.

I am to suggest that it would be well that the Committee should be attended by the Parliamentary Counsel, who is understood to be at present engaged in drafting a Bill to consolidate and amend the copyright statutes.

I am, &c.

T. V. LISTER.

The Secretary to the
Board of Trade.

No. 30.

COLONIAL OFFICE to FOREIGN OFFICE and BOARD OF TRADE.

(Extract.)

Downing Street, February 19, 1892.

IN reply to your letter of the $\frac{5\text{th ultimo},\dagger}{11\text{th ultimo}}$ I am directed by Lord Knutsford to acquaint you, for the information of the Marquess of Salisbury, that he concurs in the Board of Trade, proposal that the Canadian copyright question should be considered by an interdepartmental committee, and that he has appointed Mr. John Bramston, C.B., Assistant Under Secretary of State, to represent this Department.

Lord Knutsford would be glad to be informed of the names of the gentlemen appointed to represent the Foreign Office, and it will probably be convenient that the Committee should hold its meetings in Mr. Bramston's room in this office.

* No. 27.

† Nos. 28 and 29.

No. 31.

BOARD OF TRADE to COLONIAL OFFICE.

(Received May 24, 1892.)

[Answered by No. 32.]

Board of Trade (Railway Department), London, S.W.,
May 21, 1892.

SIR,

REFERRING to previous correspondence on the question of Canadian copyright and the provisions of the Canadian Act of 1889, I am directed by the Board of Trade to transmit to you, to be laid before Lord Knutsford, the enclosed copy of the Report to this Department of the Departmental Representatives and Parliamentary Counsel appointed to consider the subject.

I have, &c.

HENRY G. CALCRAFT.

Enclosure in No. 31.

CANADIAN COPYRIGHT.

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CANADIAN COPYRIGHT.

REPORT OF THE DEPARTMENTAL REPRESENTATIVES (OF THE COLONIAL OFFICE, FOREIGN OFFICE, BOARD OF TRADE, AND PARLIAMENTARY COUNSEL'S OFFICE) APPOINTED TO CONSIDER THE CANADIAN COPYRIGHT ACT OF 1889.

To the Right Hon. Sir MICHAEL HICKS BEACH, Bart., M.P., &c., &c.

SIR,

THE Departmental Representatives appointed to consider the Canadian Copyright Act of 1889 have agreed to the following report:—

1. The question which the representatives have to consider is what action should be taken with respect to the recent Canadian Copyright Act. For the sake of simplicity, the question is here considered with reference only to books.

2. The Copyright Act of 1842 gives copyright in a book first published in the United Kingdom for a term of 42 years from first publication, or seven years from the author's death, whichever is longer. The copyright extends to the whole of the Queen's dominions. It is not necessary that the book should be printed in the United Kingdom, and in the opinion of the Law Officers of the Crown it is not necessary that the author should be a British subject or domiciled or resident in the Queen's dominions. First publication in the United Kingdom is consistent with concurrent publication elsewhere.

3. The Act of 1842 was satisfactory from the point of view of the British author and publisher, because it secured copyright throughout the Queen's dominions. But it was disadvantageous from the point of view of the colonial author and publisher, because it gave no protection to works first published in his own Colony. Within his own Colony he might obtain protection by a Colonial Copyright Act, but that Act could not operate elsewhere. It was also disadvantageous from the point of view of the colonial reader, because it tended to raise the price of copyright books. In the United Kingdom this disadvantage is lessened by the facilities for reading afforded by clubs, book societies, and circulating libraries. But in a sparsely populated country such facilities do not exist, and those who want to read have to buy.

4. Complaints of the operation of the Act of 1842 were urged soon after it was passed, and from the North American provinces urgent representations were made in favour of admitting into those provinces cheap United States reprints of English works. In 1846 the Colonial Office and the Board of Trade admitted the justice and force of the considerations which had been pressed upon the home Government "as tending to show the injurious effects produced upon our more distant Colonies by the operation of the imperial law of copyright."*

* Report of Copyright Commission, par. 187.

5. On November 5, 1846, Earl Grey, then Secretary of State for the Colonies, sent the following circular Despatch to all the Governors of the North American Colonies :—
 “Sir, Downing Street, Nov. 5, 1846.

Lord Grey's
circular
Despatch
of 1846.

“HER Majesty's Government, having had under their consideration the representations which have been received from the Governors of some of the British North American provinces, complaining of the effect in those Colonies of the Imperial copyright law, have decided on proposing measures to Parliament in the ensuing session, which, if sanctioned by the Legislature, will, they hope, tend to remove the dissatisfaction which has been expressed on this subject, and place the literature of this country within the reach of the Colonies on easier terms than it is at present. With this view, relying upon the disposition of the Colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent, Her Majesty's Government propose to leave to the local Legislatures the duty and responsibility of passing such enactment as they may deem proper for securing both the rights of authors and the interests of the public. Her Majesty's Government will accordingly submit to Parliament a Bill authorising the Queen in Council to confirm and finally enact any colonial law or ordinance respecting copyright, notwithstanding any repugnancy of any such law or ordinance to the copyright law of this country, it being provided by the proposed Act of Parliament that no such law or ordinance shall be of any force or effect until so confirmed and finally enacted by the Queen in Council; but that, from the confirmation and final enactment thereof, the copyright law of this country shall cease to be of any force or effect within the Colony in which any such colonial law or ordinance has been made, in so far as it may be repugnant to, or inconsistent with, the operation of any such colonial law or ordinance.

“I have, &c.

“GREY.”

6. It was, however, eventually determined not to legislate in accordance with the terms of Lord Grey's Despatch, but instead to pass the Imperial Act which bears the short title of the Colonial Copyright Act, 1847, but is commonly known as the Foreign Reprints Act. This Act provided that if Her Majesty was satisfied that a Colonial Act made sufficient provision for securing to British authors reasonable protection within the Colony, she might by Order in Council declare that, so long as the provisions of the Colonial Act were in force, the prohibitions contained in the Copyright Act of 1842 and in the Customs Acts, or in any other Imperial Act, against importing, selling, or otherwise dealing in books copyrighted in the United Kingdom, should be suspended as to that Colony.

Colonial
Copyright
Act, 1847,
10 & 11 Vic
c. 95.

7. The Act of 1847, though general in its terms, was intended specially for the benefit of Canada. At that time British copyright was not in any way recognised in the United States, and it was the practice of the United States publishers to reprint in their own country British copyright books at very cheap rates. These cheap copies, owing to various difficulties in giving practical effect to the provisions of the law prohibiting their importation, were largely introduced into Canada.*

Object of
Act of 1847

8. Canada (amongst other Colonies) made what was at the time accepted by the Queen in Council as sufficient provision for securing the rights of British authors, and thus brought herself under the Act of 1847. The provision made by the Canadian Legislature was that American reprints of British copyright works might be imported into the Colony on payment of a Customs duty of 12½ per cent., which was to be collected by the Canadian Government and paid to the British Government for the benefit of the authors interested.†

Canadian
action under
the Act of
1847.

9. The Act of 1847 was satisfactory from the point of view of the Canadian reader, because it enabled him to obtain cheap reprints of British copyright books.

Effect of A
of 1847 on
Canadian
readers.

10. But from the point of view of British copyright owners the Act of 1847 was very unsatisfactory, and strong efforts were made to procure its repeal. In March 1870, at a meeting of the leading authors and publishers over which the late Earl Stanhope presided, the following resolution was passed, “that a representation be made to the Right Honourable the First Lord of the Treasury, pointing out the great hardships sustained by British authors and publishers from the operation of the Imperial Copyright Act of 1847, and stating the earnest desire they feel that Her Majesty's Government may deem it right to propose its prompt repeal.”

Effect of A
of 1847 on
British Cop
right owner

* Report, par. 190.

† Report, pars. 191, 192.

"Foreign reprints," say the Copyright Commission of 1876, "have been largely introduced into the Colonies and notably American reprints into the Dominion of Canada, but no returns, or returns of an absurdly small amount, have been made to the authors and owners. It appears from official reports that during the 10 years ending 1876, the amount received from the whole of the 19 Colonies which have taken advantage of the Act was only 1,155*l.* 13*s.* 2½*d.*, of which 1,084*l.* 13*s.* 3½*d.* was received from Canada, and that of those Colonies seven paid nothing whatever to the authors, whilst six, now and then, paid small sums amounting to a few shillings.*

11. The Canadian publishers also had their grievance. They complained that the effect of the Act of 1847 was to throw the whole of the cheap re-printing business into the hands of United States publishers and printers.

12. In the meantime Imperial legislation took place which bears on the power of Canada to legislate for herself on the subject of copyright. In 1865 was passed the Colonial Laws Validity Act of that year, which declared by s. 2 that—

"Any colonial law which is or shall be in any respect repugnant to the provisions of any Act of Parliament extending to the Colony to which such law may relate, or repugnant to any order or regulation made under authority of such Act of Parliament, or having in the Colony the force and effect of such Act, shall be read subject to such Act, order, or regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative."

This enactment merely declared the previous law.

13. In 1867 was passed the British North America Act of that year, which provided for the union of Canada, Nova Scotia, and New Brunswick, and the Government thereof. Section 91 of this Act specifies copyright among the subjects which are to be within the exclusive legislative authority of the Parliament of Canada as distinguished from the Legislatures of the several provinces.

14. To return to the complaints of the Canadian publishers. On the 15th of May 1868 the Senate of Canada passed a resolution urging "the justice and expediency of" extending the privileges granted by the Act of 1847, so that, whenever reasonable provision and protection shall, in Her Majesty's opinion, be secured to the authors, colonial reprints of British copyright works shall be placed on the same footing as foreign reprints in Canada, by which means British authors will be more effectually protected in their rights, and a material benefit will be conferred on the printing industry of the Dominion." This address was supported by the Finance Minister, the late Sir John Rose, in a memorandum addressed to the Secretary of State on the 1st of July 1868, in which he pointed out that the Canadian public was entirely dependent for its supply of reprints on the United States, to the serious injury of the British author, as not one-tenth part of the reprints entering Canada paid duty; that if Canadian publishers were allowed to reprint, they would supply not on their own market, but part of the United States market, to the great advantage of the author, as the royalty could be more easily and effectually collected than the import duty.

15. In 1869 the Canadian Government proposed that Canadian publishers should be allowed to reprint the books of English authors without their consent on paying them a royalty of 12½ per cent. on the published price.

It was alleged that by this means the Canadians would be able to undersell the Americans, and so effectually to check smuggling; and further that the British author would be secured his remuneration, as the money would be certain to be collected in the form of an Excise duty, though it could not be collected by means of the Customs. Objections, however, were made to the proposal and it was not carried out.†

16. On July 29, 1873, Lord Kimberley sent a circular Despatch to the Governors of the Colonies, together with a copy of a Despatch which he had addressed to the Governor-General of Canada on the question of copyright and the draft of a Bill to amend the Copyright Act of 1842, and asked for suggestions on the Bill. Clause 7 of this Bill contained provisions for republication of copyright books in a colony under a license. The clause is set out in full in Appendix A.

17. In January 1874, the late Mr. Mackenzie, then Premier of Canada, submitted, with the concurrence of the Canadian Privy Council, the following report on the draft Bill accompanying Lord Kimberley's circular letter:—

"1. As regards the extending to Colonial authors the privileges enjoyed by authors under the Imperial Copyright Act, there seems to be no difficulty in the way. The

* Report, par. 193.

† Report, par. 196.

Canadian Copyright Act of 1868, now in force, gives to English authors all the privileges granted to Canadian authors upon the simple condition of publishing in Canada; and an alteration in the English Copyright Act in the same sense would be accepted as a boon.

"2 As to the question of reprints of copyrights, there ought to be four different interests at stake which are somewhat in conflict, namely, the author's interest, the public interest, the publisher's interest, and the book trade interest.

"3. The authors contend that they have an undeniable and inalienable right to dispose of their property as they please; the public seems to be satisfied with the supply of books which it now gets; and the book trade also appears disposed to be in favour of things as they are.

"4. These three interests are not advocating, at least for the present, any material change beyond extending to Canadian authors the privileges of the Imperial Copyright Act as before stated.

"5. The publishers, however, although not unanimous in their opinions, are advocating the changes which were embodied in the Canadian Act of 1872, intitaled 'An Act to amend the Act respecting copyrights,' which Act has been disallowed in England.

"6. As to the draft submitted of a Bill to amend the law of copyright, the undersigned is of opinion that, owing to the intricacy of proceedings therein provided, the operation of such a measure would be attended by difficulties likely to lead to litigation."

"The undersigned, therefore, is of opinion that any change beyond the extending of the privileges of copyright to Canadian authors is not urgent, and that a postponement of the final solution of this complicated question would not be likely to cause detriment to the public interest."

18. In 1875 the Canadian Legislature passed a Copyright Act giving power to any person domiciled either in Canada or in any part of the British dominions, or in any country having a copyright treaty with the United Kingdom, to obtain copyright in Canada for 28 years, with a second term of 14 years. The condition for obtaining such a copyright was to be that the book should be printed and published, or reprinted and* republished, in Canada. There is a saving (s. 6) for the importation of books lawfully printed in the United Kingdom. The Canadian copyright thus secured was, so far as it related to books first published in the United Kingdom, in addition to and concurrent, though not conterminous, with the copyright throughout the Queen's dominions existing by virtue of the Imperial Copyright Act of 1842. The practical effect of the Canadian Act was to exclude, during the term of Canadian copyright, foreign reprints of such books if they obtained the benefit of the special Canadian copyright by being published and printed in Canada. Under this Act certain works of British authors were published with their consent in Canada at a price not only far lower than that of the British copyright edition, but also lower than that of the competing reprints from the United States, which were thus practically, as well as legally, excluded from Canada.†

Copyright Act of 1875 of Canadian Legislature.

19. Doubts arose whether the Canadian Act was not repugnant to the Order in Council of 1868 for admitting foreign reprints into Canada, and in order to remove these doubts an Imperial Act (38 & 39 Vict. c. 53.) was passed to confirm the Canadian Act. In this Imperial Act a section was inserted, at the instance of British copyright owners, prohibiting the importation into the United Kingdom of cheap Canadian reprints having Canadian copyright under the Canadian Act, and thus placing such reprints in the same position as the familiar Tauchnitz editions.

Imperial Canadian Copyright Act of 1875, 38 & 39 Vict. c. 53.

20. The Canadian Copyright Act of 1875 is still in force. It now appears in the Canadian Statute Book as c. 62. of the Acts of 1886, but seems to have been re-enacted in that year as part of a scheme of statute law revision, in a form which was intended not to affect the validity given to the previous Canadian Act of 1875 by the Imperial Act of the same year.

Re-enactment of Canadian Copyright Act of 1875.

21. The discussions connected with the passing of the Canadian Act of 1875, and the Imperial Confirming Act of the same year, were the principal grounds for the appointment of the Copyright Commission of 1876. The Copyright Commission, by their report of 1879, dealt at great length with the question of colonial, and especially Canadian, copyright.

Copyright Commission of 1876.

* In the copy scheduled to the Imperial Act of 1875 this runs "reprinted or republished."

† Report, par. 201.

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22. They admitted that it was highly desirable that the literature of this country should be placed within easy reach of the Colonies, and that, with this view, the Imperial Act should be modified so as to meet the requirements of colonial readers.* They did not propose to interfere with the Canadian Copyright Act of 1875, or with the principle of that law. They recommended that the difficulty of securing a supply of English literature at cheap prices for colonial readers should be met in two ways, first, by the introduction of a licensing system in the Colonies, and secondly, by continuing, though with alterations, the provisions of the Foreign Reprints Act.†

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23. In proposing the introduction of a licensing system they did not intend to interfere with the power possessed by the colonial Legislatures of dealing with the subject of copyright so far as their own Colonies are concerned. They recommended that, in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a colony, and in case no adequate provision should be made, by a republication in the Colony or otherwise within a reasonable time after publication elsewhere, for a supply of the work sufficient for general sale and circulation in the Colony, a license might, on application, be granted to republish the work in the Colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent. on the retail price, as might be settled by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should, they said, be made by such law. They did not feel that they could be more definite in their recommendation than this, nor indeed did they think that the details of such a law could be settled by the Imperial Legislature. They would prefer to leave the settlement of such details to special legislation in each Colony.‡

proposals
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24. As to the Foreign Reprints Act, on careful consideration of the subject, and of the peculiar position of many of the Colonies, and after reference to the answers returned by the Colonies to Lord Kimberley's circular Despatch of the 29th of July 1873, they were not prepared to recommend the simple repeal of the Act of 1847, and the consequent determination of the power now vested in the Queen of allowing the introduction of foreign reprints into Colonies which have made due provision for securing the rights of British authors. They believed that, though the system of republication under a license might be well adapted to some of the larger Colonies which have printing and publishing firms of their own, and which could reprint and republish for themselves with every prospect of fair remuneration, it would be practically inapplicable in the case of many of the smaller Colonies. These latter, they remarked, now depend almost wholly on foreign reprints for a supply of literature, and to sweep away the Foreign Reprints Act, without establishing some other system of supply, would be to deprive them in a great measure of English books. They, however, thought that it had been proved necessary to amend the existing law, and as the provisions theretofore made in different colonies to which the Foreign Reprints Act had been applied by Orders in Council had failed to secure remuneration to copyright owners, they recommended that there should be power to repeal these Orders, and that no future Order in Council should be made under the Act of 1847 till sufficient provision had been made by local law for better securing payment of the duty on foreign reprints to the owners of copyright works. As to what should be considered sufficient security for this purpose they did not go into detail, but merely threw out general suggestions. They recommended that, where an Order in Council had been made for the admission of foreign reprints into a colony, such reprints should not, unless with the consent of the copyright owner, be imported into the Colony—

- (1.) where the owner has availed himself of the local copyright law (if any); or
- (2.) where an adequate provision has been made for his remuneration by royalty; or
- (3.) after there had been a republication under the licensing system.

recommen-
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25. As to the admission of colonial reprints into the United Kingdom, after stating the arguments for and against, they were not prepared to recommend the repeal of the section of the Act of 1875 prohibiting that admission. They thought that colonial reprints of copyright works first published in the United Kingdom should not be admitted into the United Kingdom without the consent of the copyright owners, and conversely that reprints in the United Kingdom of copyright works first published in any colony should not be admitted into that colony without the consent of the copyright owners.

* Report, par. 184.

† Report, pars. 205, 206.

‡ Report, pars. 207, 208.

26. A Consolidation Bill to give effect to the recommendations of the Copyright Commission was introduced in 1881, but did not become law, and has not since been reintroduced by the Government, although Consolidation Bills have been introduced from time to time by private members. Copyright Bill of 1881

27. At various times Her Majesty's Government have negotiated treaties with continental States for giving copyright in Her Majesty's dominions to books published in those States, and a series of Acts, known as the International Copyright Acts, and Orders in Council under them, have been passed and made for giving effect to those Treaties. International copyright.

28. In 1885 Her Majesty's Government were engaged in negotiations for the Convention of Berne, the object of which was to create an international union for the protection of literary and artistic works. Negotiations for Berne Convention

29. In the following year was passed the International Copyright Act, 1886, of which the main object was to authorise Her Majesty to accede to the Berne Convention, and to give effect to the Convention by passing the requisite Orders in Council. But the Act also made important amendments of the law with respect to colonial copyright. By s. 8 it provided that the British Copyright Acts should, subject to certain exceptions as to registration and delivery of copies, apply to a literary work first produced in a British possession in like manner as they apply to a work first produced in the United Kingdom. By virtue of this section the author of a book first published in a colony, such as Canada, has copyright throughout the whole of the Queen's dominions. The same section contains a saving (subs. (4)) for the power to pass in any British possession any Act or Ordinance respecting the copyright within that possession of books first published in that possession. Under s. 9 the Queen has power by Order in Council to declare that the Act of 1886, and any Order in Council made under it, shall cease to apply to any British possession. International Copyright Act, 1886, 49 & 50 Vict. c. 33.

On the 5th January 1889 the Law Officers advised that in their opinion the then existing powers of colonial Legislatures to pass local laws on the subject of copyright in books were probably limited to enactments for registration and for the imposition of penalties with a view to the more effectual prevention of piracy, and to enactments within sub-section (4) of s. 8 of the International Copyright Act, 1886, with reference to works first produced in a colony.

30. The Berne Convention was signed at Berne on the 9th of September 1886. Under this Convention, the States who were parties to it were constituted into a union for the protection of the rights of authors over their literary works, and authors in any of the countries of the union or their lawful representatives were to enjoy in the other countries for their works, whether published in one of those countries or unpublished, the rights which the respective laws of those countries granted or might thereafter grant to natives. The enjoyment of these rights was to be subject to the accomplishment of the conditions and formalities prescribed by law in the country of origin of the work, and was not to exceed in the other countries the term of protection granted in the country of origin. Signing of Berne Convention

31. By a protocol attached to the Convention Her Majesty's Plenipotentiaries stated that the accession of Great Britain comprised the United Kingdom and also the Colonies and foreign possessions of Her Majesty. At the same time, they reserve to Her Majesty the power of announcing at any time the separate denunciation of the Convention by India or Canada or any of the other self-governing Colonies. Under Article XX. of the Convention a denunciation does not take effect until after the expiration of 12 months from its date. Accession of British Colonies to Convention

32. On the 28th of November 1887 an Order in Council was made adopting the Berne Convention, with respect to the foreign countries parties to the Convention. These foreign countries are in the order referred to as the foreign countries of the Copyright Union, and are, with Her Majesty's dominions, referred to as the countries of the Copyright Union. The Order came into force on the 6th of December 1887. Order in Council of 1887.

33. Canada expressly assented to the passing of the Imperial Act of 1886, and to the Order in Council of 1887 adopting the Berne Convention. Assent of Canada to Act of 1886 and Berne Convention

34. The Imperial Act of 1886 and the Order in Council of 1887 embodied two important principles, the principle of Imperial copyright, namely, that the author of a book first published in any part of the Queen's dominions thereby obtains copyright throughout the Queen's dominions; and the principle of international copyright, namely, Principles embodied in legislation 1886-87.

that the author of a book first published in any country of the Copyright Union thereby obtains copyright in all the countries of the Copyright Union.

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Act of 1886.

35. By virtue of the British law, as completed by the International Copyright Act, 1886, and by the Order in Council of 1887—

- (a.) the author of a book first published in any part of the Queen's dominions, say at London or at Quebec, whether the author is an Englishman, Canadian, Frenchman, or American, has copyright in the book throughout the Queen's dominions, for the term allowed by English law, that is to say, for 42 years from first publication, or seven years from the death of the author whichever is longer;
- (b.) the author of a book first published in any foreign country belonging to the Copyright Union, say at Paris, has copyright throughout the Queen's dominions for the same term, or any less term allowed by the law of the foreign country for copyright under that law.

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36. By virtue of the Berne Convention, and of the foreign laws made in accordance with it, the author of a book first published in any part of the Queen's dominions, say at London or at Quebec, has copyright in every country belonging to the Copyright Union for the term allowed by English law, or any less term allowed by the law of the foreign country for copyright under that law. No further registration or formality is required in the foreign country; there is no obligation to reprint or republish; but the mere fact that the work has copyright in Her Majesty's dominions gives it copyright throughout the Union. Copyright includes the exclusive right of translation, if exercised within ten years from publication. The obligation and advantage under the Convention are strictly reciprocal, and it consequently follows that any country which imposes an obligation to print or reprint locally as a condition of obtaining copyright in a book first published in any country of the Copyright Union must withdraw from the union, such a condition being inconsistent with the terms of the Convention.

Canadian
Act of 1889.

37. In 1889 Canada passed an Act repealing ss. 4 and 5 of the previous Canadian Copyright Act (which sections embodied the conditions for obtaining the especial Canadian copyright), and providing that—

- (a.) Any person domiciled in Canada or in any part of the British possessions (an expression which presumably includes the United Kingdom); or
- (b.) Any citizen of any country which has an international copyright Treaty with the United Kingdom, in which Canada is included (an expression which would, under existing circumstances, include France, but not the United States, and would cease to include France or any other foreign country if Canada ceased to be a party to the Berne Convention);

may obtain exclusive copyright for his book in Canada for 28 years subject to the following conditions:—

- (1.) That the book is before, or simultaneously with, first publication registered in Canada; and
- (2.) That it is printed and published, or reprinted and republished, in Canada, within one month after first publication elsewhere.

The Act goes on to provide that, if a person entitled to obtain copyright in a book under these provisions does not avail himself of them, any person domiciled in Canada may obtain from the Minister of Agriculture a license (which is not to be exclusive) to publish the book in Canada on paying the author a royalty of 10 per cent. on the retail price of each book, published under the license.

Where a license is so issued for a book, and the Governor in Council is satisfied that the book is being published under the license in such a manner as to meet the Canadian demand for it, the Governor-General may by proclamation prohibit the importation of copies of the book while the author's copyright is in force.

But the Act—

- (a.) is not to prohibit the importation from the United Kingdom of books copyrighted there, or lawfully printed and published there; and
- (b.) is not to apply to any book in which before the date at which the Act comes into force, copyright has been obtained in the United Kingdom, or in any country of the Copyright Union.

The object of saving (a) is apparently to let in books published in England, whilst keeping out books published in the United States. The object of saving (b) is to protect existing rights.

The Canadian Act of 1889 was to come into force on a day to be named by a proclamation of the Governor-General. Such a proclamation has not yet been made.

The Act relates to other subjects of copyright besides books.

38. On August 3rd, 1889, Sir John Thompson, Minister of Justice to the Dominion of Canada, submitted to the Privy Council of Canada a report containing arguments in support of the Canadian Act on its merits, and in support of the competency of the Canadian Legislature to pass the Act. He referred to the provision that the Act was not to come into force until proclaimed by the Governor-General, and stated that there was not any intention on the part of the Canadian Government to advise the issue of a proclamation bringing it into force until it had been submitted to Her Majesty's Government with the explanations which the Governor-General's advisers can present, and until Her Majesty's Government should concur in the issue of the proclamation. As to the merits, he argued that the copyright system previously in force under Imperial and Canadian legislation had been found to be most unsuitable to Canada, and that the Berne Convention was found to increase the causes of complaint which existed under the previous law. Under that law, he observed, every work copyrighted in Great Britain has copyright protection without the requirement of publication in Canada. Under the protection of this law United States' authors secure copyright in Great Britain and her possessions by publishing in England (sometimes by publishing a limited edition not intended to supply the market, and not sufficient therefor) and thus secure control of the Canadian market, while a Canadian cannot obtain such copyright privileges in the United States.

Sir John Thompson
Report to
the Canadian
Committee
of Privy
Council.

"The rights which British authors and publishers have in British possessions under this condition of the law have been greatly abused by the sale of their copyright privileges to American publishers, and their refusal to sell to Canadian publishers on like terms. By this means United States publishers have been enabled to command the Canadian market under the provisions of legislation which were not intended for their benefit, but for the benefit of the British author and publisher. The prices of American reprints are so low that the British publications have no chance of competing with them in Canada, and, Canadian reprints being prohibited by the copyright law, the business of reprinting for Canadian readers is thus to a great extent thrown into the hands of American publishing houses, to the very great detriment of the publishing interests of Canada.

"These evils," he went on to say, "would be augmented by the provisions of the Berne Convention, which extends the copyright privileges without publication in British possessions to authors of any country which has joined, or may join, the Copyright Union formed by that Convention.

"For the benefit conferred on Canadian authors (who are comparatively a very limited class) of copyright in the countries comprised in the Berne Convention Union, the business of publishing in Canada will be repressed as to works published in all these countries, and the United States' publishers will be free from any restrictions of that kind, not only as to the vast markets of their own country but to Canada as well."

He submitted that the royalty provision of the Act in favour of the holder of British copyright was reasonable and afforded ample facilities for collection. The Government of Canada would, he said, be prepared to submit to Her Majesty's Government the regulations which might be adopted under the Act for securing the collection of the royalty and the payment thereof to the proper parties.

He observed, as regards the policy of permitting republication in Canada in consideration of such a royalty in favour of the holders of the copyright out of Canada, that, under existing legislation, the importation of foreign reprints into Canada is permitted on the imposition of a customs duty in favour of the copyright holder.

The Act of last session, he said, would make the same provision in favour of the Canadian publisher, but under regulations which will restrain the influx of foreign reprints and afford a better means of collecting the compensation to the copyright holder.

On the question of the competency of the Dominion Parliament to pass the Act he argued at some length that such a power existed under the British North America Act, 1867.

He did not contend that the Canadian legislation would be consistent with the Berne Convention, and he admitted that before the proclamation bringing the Act into operation could be issued Her Majesty's Government must be asked to give the requisite notice of denunciation on behalf of Canada, and that a year's delay must elapse after that notice, and that an order of the Queen in Council must be obtained for releasing Canada from the operation of the statute which makes the Berne Convention operative throughout the Empire.

39. Sir John Thompson's report received the concurrence of the Committee of the Canadian Privy Council, and was forwarded, with the Act of 1889, to the Colonial Office by a Despatch dated 26th August 1889.

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40. On the question of the competency of the Canadian Parliament to pass the Act of 1889, Lord Knutsford took the opinion of the Law Officers of the Crown, who reported on December 31, 1889, that in their opinion the powers of legislation conferred on the Dominion Parliament by the British North America Act, 1867, do not authorise that Parliament to amend or repeal, so far as relates to Canada, an Imperial Act conferring privileges within Canada, and that in their opinion Her Majesty should withhold her assent to the Canadian Act of 1889.

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41. On the 25th of March 1890, Lord Knutsford sent a Despatch to Lord Stanley of Preston, the Governor-General of Canada, in which he expressed his regret that he was unable to authorise the Governor-General to issue a proclamation to bring the Canadian Act of 1889 into force. Lord Knutsford referred to the advice of the Law Officers as to the competency of the Dominion Parliament to pass the Act. With respect to the merits of the Act, he called attention to two provisions to which special objection was felt by British copyright owners. These two provisions were the limitation of one month for reprinting and republication, and the power to print and publish under colonial licenses.

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42. Meanwhile Newfoundland had been legislating on somewhat similar lines to Canada. In 1888 Newfoundland passed a Copyright Act which was held to exceed its legislative powers, and was on that ground disallowed. In 1890 it passed a similar Act more limited in its terms, giving Newfoundland copyright for 28 years to an author domiciled in Newfoundland on condition that his book is printed or published in Newfoundland. This Act was referred to the Law Officers for their opinion, and they reported on March 4th, 1891, that they had examined the Act, and being of opinion that its provisions ought to be construed as relating to works first published in Newfoundland they thought Her Majesty's assent need not be withheld, but that the Act might be permitted to come into operation. They suggested, however, that it should be pointed out to the Newfoundland authorities that if s. 5 (which contained the printing condition) should be judicially interpreted to include works other than those first printed and published in Newfoundland the Act would be inconsistent with the Imperial statutes, and further legislation would be necessary.

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43. On July 14th, 1890, Sir John Thompson, being then in London, wrote a long letter to Lord Knutsford, in which he recapitulated the history of copyright legislation with respect to Canada, and the arguments in support of the Canadian proposals, expressed little hope of any satisfactory copyright arrangement being made with the United States, and concluded by asking that a final decision on the case of Canada should no longer be postponed to await the action of the United States. In connexion with this point he urged—

“(1.) That the present policy of making Canada a market for American reprints, and closing the Canadian press for the benefit of the American press in regard to British copyright works, has a direct tendency to induce the United States to refuse any international arrangement ;

“(2.) That, inasmuch as the existing Canadian copyright law affords protection to the copyright holder in every country which may make a treaty with Great Britain, it cannot it suggested, as it once was, that self-government in Canada on this subject would in the least impede negotiations with the United States for an international arrangement.”

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44. In March 1891 the Legislature of the United States passed an Act which gave American copyright in a book to an author being a citizen or subject of a foreign State or nation on condition that two printed copies of the book printed from type set within the limits of the United States must be delivered or deposited in accordance with the requirements of the Act on or before the publication of the book. Section 13 provides that the Act is only to apply to a citizen or subject of a foreign State or nation—

(a.) If such foreign State or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to its own citizens ; or

(b.) When such foreign state or nation is party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party to the agreement.

The existence of either of these conditions was to be determined by the President of the United States, by a proclamation issued from time to time as the purposes of the Act might require.

The Act was to come into force on the 1st of July 1892.

45. In reply to an inquiry from the United States Minister, Mr. Lincoln, the Marquess of Salisbury on June 16th, 1891, wrote as follows :—

“ Her Majesty’s Government are advised that, under existing English law, an alien by first publication in any part of Her Majesty’s dominions can obtain the benefit of English copyright, and that contemporaneous publication in a foreign country does not prevent the author from obtaining English copyright ;

“ That residence in some part of Her Majesty’s dominions is not a necessary condition to an alien obtaining copyright under the English copyright law ; and

“ That the law of copyright in force in all British possessions permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to British subjects.”

46. On the 1st of July 1891 the President of the United States proclaimed that the first of the conditions specified in s. 13 of the Act of Congress was fulfilled in respect to the citizens or subjects of (amongst other countries) Great Britain.

47. Accordingly, by virtue of the American Copyright Act, and of the President’s proclamation, which, however, is revocable, the author of a book first published in any part of the Queen’s dominions, say at London or Quebec, *and printed in the United States*, has, on compliance with the requirements of the Act as to delivery or deposit, copyright in the United States for the term recognised by the law of the United States.

48. On December 19th, 1891, Mr. Blaine wrote to Sir Julian Pauncefote stating that the Government of the Dominion of Canada refuses to admit citizens of the United States to the privilege of registration of copyright in Canada on their complying with the conditions of printing and publishing in Canada under the assurance given by Her Majesty’s Government and under the proclamation of the President, the ground of refusal appearing from the letter of the Registrar of the Department of Agriculture at Ottawa to be that the United States’ Act and the President’s proclamation do not constitute an international copyright treaty, and that therefore citizens of the United States cannot register under the Canadian Act. Mr. Blaine asks for “ an explanation of “ this important discrepancy between the assurances given by Her Majesty’s Government “ and the course of the Dominion Government in the matter of the copyright privilege “ of citizens of the United States. The declaration of Lord Salisbury,” he observes, “ and its acceptance by the United States Government constituted an international “ arrangement which this Government desires to observe and maintain in its entirety, “ and I should much regret if any untoward circumstance should constrain its “ abandonment or essential qualification.”

49. We are now in a position to consider how far the Canadian Act of 1889 is consistent—

- (a.) with the Berne Convention ;
- (b.) with the arrangement with the United States ; and
- (c.) with Imperial legislation ;

and how far the grievances which it proposes to meet are substantial, and the proposals which it embodies are satisfactorily on their merits.

50. Sir John Thompson admits, as has been seen, that the Canadian Act is inconsistent with the Berne Convention, and that, consequently, a necessary condition precedent of its obtaining the force of law is the withdrawal of Canada from that Convention.

Under s. 9 of the Act of 1886 the Queen has power, by Order in Council, to declare that the Act of 1886 and the Order of 1857 shall cease to apply to any British possession.

The Queen can, therefore, on the application of Canada, make an Order directing that the Act of 1886 and the Order of 1887 shall cease to apply to Canada. But the Act and Order stand or fall together, and if Canada excepts herself from the Act she must except herself from the Order also, and vice-versâ.

If, therefore, such an excepting Order is made for Canada the effect will be as follows :—

The author of a book first published in London will still, by virtue of the Imperial Acts before 1886, have copyright in Canada.

But the author of a book first published in Canada will cease to have copyright in the United Kingdom or in Australia, or in any country belonging to the Copyright Union.

And the author of a book first published in Australia, or in any other British possession except Canada, or in France, or in any other foreign country belonging to the Copyright Union, will cease to have copyright in Canada.

Report as to
state of
British law

Proclamation
by President
of United
States.

Effect of
American
Copyright
Act.

Refusal of
Canada to
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Questions
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Inconsis-
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If Canada presses for withdrawal from the Berne Convention, her request cannot well be refused. But her withdrawal would be a matter for much regret, since it would strike a serious blow at the policy of Imperial and international copyright embodied in the legislation of 1886. It would be a retrograde measure which would commit Canada to a policy of isolation and of antagonism to the community of civilized States who have become parties to the Treaty of Berne.

Deprivation of Canadian copyright might be seriously detrimental to the interests of Australian authors, say, for instance, of a Melbourne novelist whose works are likely to obtain extensive circulation in Canada. If, however, the interests of publishers or printers were allowed to prevail over those of authors, the lead given by Canada would not improbably be followed by other Colonies, and thus the whole system of Imperial copyright would be broken up.

As has been seen,* even if Canada were to denounce the Berne Convention, a year must elapse before any Canadian legislation inconsistent with the Convention could take effect.

51. The grounds of the Canadian contention that United States authors and publishers are not entitled to the benefit of the Canadian copyright under the Canadian Act of 1875† are not fully before us, but the contention seems to be technically correct. Moreover the inconsistency between the Canadian action and the assurance given by Her Majesty's Government to the President of the United States, is perhaps more apparent than real, for refusal to register under Canadian Act apparently does not deprive a book first published in any part of Her Majesty's dominions (including Canada) of the copyright to which it is entitled in Canada as well as in the United Kingdom under the Imperial Acts of 1842 and 1886. Under the Act of 1842 a book first published in the United Kingdom has copyright in Canada, and Canadian legislation is not needed to give, and cannot take away, that copyright. But under that Act a book first published in Canada had no copyright, and colonial legislation was required to give such copyright. Consequently for the protection of such books the Canadian Copyright Act was necessary, though it could not operate beyond the limits of the Colony. But since the passing of the Act of 1886, which gives copyright to books first published in any part of the Queen's dominions, a Canadian Copyright Act is no longer necessary, and the only effect of the Canadian Act of 1875 appears to be to prevent the importation of unauthorised reprints under the Foreign Reprints Act,‡ The Canadian Act of 1875 is so worded as to give rise to misconception on this point, and the Act of 1889, if confirmed by Her Majesty's Government after the assurance given to the Government of the United States in 1891, would give rise to similar misconception and misunderstanding. Of course if Canada were to withdraw from the operation of the Act of 1886, and still more if she were allowed to withdraw from the operation of the Act of 1842, there would be not merely a formal but a substantial inconsistency between her legislation and Lord Salisbury's declaration.

52. The Canadian Act of 1889 is, as has been seen,§ inconsistent with Imperial legislation, apart from the effect of the Imperial Act of 1886, and therefore could not obtain the force of law without an Imperial confirming Act.

53. To the passing of an Imperial Act confirming the Canadian Act, in its present form, there are obvious objections.

It would involve abandonment of the policy of international and Imperial copyright which Her Majesty's Government adopted, and to which Canada assented only six years ago.

It would be at least open to the charge of being inconsistent with the declaration as to the law of the United Kingdom and the British possessions which was made to the United States last year, and on the faith of which the United States admitted British authors to the benefit of their copyright law.

It would be inconsistent with the policy of making copyright independent of the place of printing which Her Majesty's Government have for many years been urging the United States to adopt.

It would impair the rights in Canada of British authors by whom the Canadian market is principally supplied.

* Pars. 31, 38.

† Par. 18.

‡ If registration is required before proceedings can be taken for infringement of this right, and if the Canadian Act does not provide for registration by a United States author he can entitle himself to the remedy by registering at Stationers Hall in London (see 49 & 50 Vict. c. 33. s. 8).

§ Par. 40.

On these grounds, amongst others, a Bill for such an Act, if introduced into the British Parliament, would, we apprehend, be vehemently opposed, and would have very little chance of becoming law.

54. The Canadian case may be looked at from the point of view of the Canadian reader, of the Canadian author, and of the Canadian publisher and printer.

Nature of
Canadian
grievances.

It is doubtful whether the Canadian reader has under existing circumstances any ground of complaint at all. Under the operation of the Foreign Reprints Act he is abundantly supplied with cheap reprints, and it cannot matter to him, as a reader, whether these reprints are produced in Canada or in the United States. It is the British author and publisher who have to complain of the Foreign Reprints Act, and the reality of their grievances was admitted by the Copyright Commission of 1876.

The Canadian author may perhaps be treated as belonging rather to the future than to the present. But nothing can be more detrimental to his interests than legislation which, like the Canadian Act of 1888, would isolate Canada from civilized communities which have adopted the principles of the Berne Convention, and would deprive their authors of copyright in every country outside their own borders.

The present demand for legislation on the lines of the Canadian Act of 1889 appears to come, not from the Canadian reader or author, but from the Canadian publisher and printer, who feel severely the competition of their rivals over the United States border, and wish to protect themselves by excluding their rivals' wares. The arguments in their behalf are to be found in Sir John Thompson's report of 1889 and letter of 1890.*

It may be doubted whether there is any foundation for his suggestion that the grievances of the Canadian publishers have been augmented by the Berne Convention. Before that Convention countries like France, which had copyright treaties with the United Kingdom, were entitled, under those treaties and the International Copyright Acts, to copyright in Canada.

Nor does it appear that the effect of the recent American Act will be to increase the inducement to American publishers to reprint British books. Before the Act they could reprint any such book freely; since the Act they must make arrangements with such authors as take advantage of the provisions of United States legislation. What the Act really does is to increase the inducements to British authors to enter into such arrangements.

And the real grievance of the Canadian publishers is that they are undersold by competitors who have the advantage of larger capital and a larger market, and in whose favour protective legislation is enforced against their weaker rivals.

The restrictive conditions attached to United States copyright by United States Legislation make the demand for the imposition of corresponding restrictions on Canadian copyright, and the grant of countervailing facilities for Canadian reprints at least intelligible.

It must, however, be remembered that there is the same difficulty here as in other cases in reconciling the rival policies of cheapening wares to the consumer and protecting the producer. What the Canadian reader wants is to get cheap books wherever printed. What the Canadian publisher and printer want is to keep out books, cheap or otherwise, not printed or published at their own establishments. The legislation for which they ask could hardly lower, and might possibly raise, the price of books to the Canadian reader. The simplest and most effectual mode of lowering the price of Canadian books would be to remove or reduce the Canadian import duty of 15 per cent. on books.

55. Is it not, however, possible to devise some form of legislation which would meet Canadian grievances without running counter to the policy affirmed in 1886, or imperilling the arrangement with the United States? Admitting, as we must, that the present state of the Canadian law is unsatisfactory, and that Her Majesty's Government may fairly be asked to consider whether any means can be found for meeting the Canadian demands, the course which seems open to the least objection would be that which would follow most closely the lines indicated by the report of the Copyright Commission.

Suggestion
for legisla-
tion.

56. It might be conceded that on proof of a book first published in the United Kingdom, and by reason of such publication having copyright in Canada, not being produced within a reasonable time either in the United Kingdom or in Canada, at such a price as to meet the Canadian demand, there should be power to grant a license for its publication in Canada on the terms of paying a royalty to the copyright owner. But this power should be checked by more effective safeguards than are provided by the

Licenses for
republica-
tion.

* Pars. 38 and 43.

Canadian Act of 1889, and should be made subject to the conditions corresponding as closely as practicable to the suggestions of the Copyright Commission.* Twelve months might be allowed as a reasonable time for cheap reproduction, and during that time the imperial copyright should remain unimpaired. The amount of the royalty might perhaps be 15 per cent., so as to correspond with the amount of the existing import duty on books. The royalty might be levied by means of a stamp on each copy, and if unstamped books are offered for sale they should be liable to seizure. These provisions should be embodied in the Act itself, and not in regulations made under it.

Provisions to this effect would require Imperial legislation to confirm them. They would be open to objection from the point of view of the copyright owner. They would possibly be inconsistent with the views of the signatories of the Berne Convention as to the rights which copyright should involve. But they would apparently not be in conflict with the terms of the Convention itself, for the Convention merely stipulates that foreign copyright owners are to be entitled to the same rights and privileges as British copyright owners, and, if the rights of British copyright owners are cut down by such licenses, foreign copyright owners are not entitled to complain of their rights being cut down to a similar extent. Nor would they conflict with the arrangement with the United States.

57. It is suggested that such Canadian legislation as is required should be confined to books. Copyright in musical, dramatic, and artistic works raises other and very difficult questions.

58. If any further legislation is required for the benefit of Canadian publishers and printers perhaps Canadian statesmen may suggest it. Several suggestions made to us are open to objection on the ground of conflicting either with the treaty of Berne or with the declaration made to the United States. But possibly something might be done by an amendment of the Canadian Customs Acts following the lines of section 42 of the Customs Law Consolidation Act, 1876 (39 & 40 Vict. c. 36.†) The policy of that section has been much criticised‡ and is open to serious objection, but so long as it is maintained in the United Kingdom, it is a ground for defending an enactment of similar principle in a colony.

59. If Canada is allowed to grant licenses for the reprinting of British copyright books either the Foreign Reprints Act should cease to apply to Canada, or at least she ought, in accordance with the recommendations of the Copyright Commission,§ to make better provision by law for securing to the owners of copyright works the payment of the duty upon such foreign reprints as would be still admitted into the colony, and there should be power, in the event of such provision not being made, to revoke the existing Orders in Council under which foreign reprints are so admitted.

We have the honour to be,

Sir,

Your obedient servants,

BALFOUR OF BURLEIGH.

H. G. BERGNE.

JOHN BRAMSTON.

C. P. ILBERT.

20th May 1892.

APPENDIX A.

EXTRACT from Draft Bill accompanying Circular Letter of 1873.

"7. Where it appears to Her Majesty in Council that in any British possession effectual and reasonable provision has been made by an Act of such British possession for all the following objects, namely,—

"(a.) For the registration and protection in such British possession of books first published out of such British possession, and entitled to copyright therein ;

"(b.) For collecting and remitting the percentage payable under this Act upon reprints of such books sold in pursuance of a license under this Act in such British possession ;

* See Appendix B.

† Extended by 52 & 53 Vict. c. 42. s. 1.

‡ See Report of Copyright Commission, pars. 217–226

§ Report, par. 213.

- “(c.) For making to one of Her Majesty’s Principal Secretaries of State, to be laid before Parliament, returns of the numbers and prices of reprints of the said books sold in such British possession, and such other particulars with respect to those reprints as the Secretary of State may require ;
- “(d.) For preventing the importation into such British possession of foreign reprints except according to this Act ;
- “(e.) For imposing, collecting, and remitting a reasonable per-centage upon all foreign reprints imported into such British possession according to this Act ;
- “(f.) For the periods directed by this section to be provided by an Act of the British possession, and the otherwise carrying into effect of this section ; and
- “(g.) For any other objects for which, in the opinion of Her Majesty in Council, provision ought for the purposes of this Act to be made ;
- “Her Majesty may, by Order in Council, direct that, from and after the day of the date of the Order, or such later day as may be specified in the Order (which day is in this Act referred to as the commencement of the Order), this section shall apply to such British possession, and thereupon, so long as the said Order remains in force, the following provisions of this section shall apply in such British possession to every book first published out of such British possession after the commencement of the Order and entitled to copyright therein, (that is to say) :—
- “(1.) If within such reasonable period after the first publication of the book as may be provided by the said Act of the British possession the book is not published in such British possession in such number and manner as are suitable for general circulation therein, any person may apply to such court in the British possession as may be fixed by the last-mentioned Act, for a license to publish such book, and the court may, if it seems just, grant such license, subject to the provisions of this Act, upon such terms and subject to such conditions as the court thinks just ;
- “(2.) The application shall be made, and the proceedings upon such application shall be conducted, in such a manner as may be from time to time directed by the law of such British possession, or, if there is no such law, as the court by general orders or rules from time to time directs ;
- “(3.) An appeal to Her Majesty in Council shall be from any order made by the court in pursuance of this section ;
- “(4.) Every such appeal shall be referred to the Judicial Committee of the Privy Council, and shall be dealt with by them as other appeals from courts in such British possession ;
- “(5.) An order granting a license shall not be suspended by such appeal, but the person in whose favour the order is made shall be liable to account for profits, or to pay damages as may be directed by Her Majesty in Council when the appeal is decided ;
- “(6.) After the expiration of such reasonable period, not being less than six months, from the first publication of the book, as may be provided by the said Act of the British possession, if the book is not then published in such British possession in such number and manner as are suitable for general circulation therein, any person may, notwithstanding anything in this Act, import into such British possession foreign reprints of such book, subject to the provisions of this Act and of the said Act of the British possession.
- “Where the last-mentioned Act is altered by any subsequent Act of the said British possession the Order in Council shall not be affected by such alteration, unless it seem fit to Her Majesty in Council to revoke or alter such order.”

APPENDIX B.

EXTRACTS FROM REPORT OF COPYRIGHT COMMISSION.

206. We recommend that the difficulty of securing a supply of English literature at cheap prices for Colonial readers be met in two ways : 1st, By the introduction of a licensing system in the Colonies ; and, 2nd, By continuing, though with alterations, the provisions of the Foreign Reprints Act.

207. In proposing the introduction of the licensing system it is not intended to interfere with the power now possessed by the Colonial Legislatures of dealing with the subject of copyright, so far as their own Colonies are concerned. We recommend that in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a Colony, and in case no adequate provision be made by republication in the colony or otherwise within a reasonable time after publication elsewhere for a supply of

the work sufficient for general sale or circulation in the Colony, a license may, upon an application, be granted to republish the work in the Colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent. on the retail price, as may be settled by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should be made by such law.

208. We do not feel that we can be more definite in our recommendation than this, nor indeed do we think that the details of such a law could be settled by the Imperial Legislature. We should prefer to leave the settlement of such details to special legislation in each Colony.

11 Vict. 209. With regard to the continuance of the Foreign Reprints Act, we have already stated that strong efforts have been made to procure its repeal. In March 1870, at a meeting of the leading authors and publishers, over which the late Earl Stanhope presided, the following resolution was passed: "That a representation be made to the Right Honourable the First Lord of the Treasury, pointing out the great hardships sustained by British authors and publishers from the operation of the Imperial Copyright Act of 1847, and stating the earnest desire they feel that Her Majesty's Government may deem it right to propose its prompt repeal."

Papers
ial
ight
667,
874
44,
ril,
210. We are fully sensible of the weight that must attach to the opinions of persons so qualified to form a judgment on this matter, but upon careful consideration of the subject and of the peculiar position of many of Your Majesty's Colonies, and upon this point we would refer to the answers returned by the Colonies to Lord Kimberley's circular Despatch of the 29th July 1873, we are not prepared to recommend the simple repeal of the Act of 1847, and the consequent determination of the power now vested in Your Majesty, of allowing the introduction of foreign reprints into Colonies which have made due provision for securing the rights of British authors.

211. We believe that although the system of republication under a license may be well adapted to some of the larger Colonies which have printing and publishing firms of their own and which could reprint and republish for themselves with every prospect of fair remuneration, it would be practically inapplicable in the case of many of the smaller Colonies. These latter now depend almost wholly on foreign reprints for a supply of literature; and to sweep away the Foreign Reprints Act without establishing some other system of supply would be to deprive them in a great measure of English books.

212. But we are of opinion that it has been proved necessary to amend the existing law, for the purpose of more effectually protecting the rights of owners of copyright whilst affording to colonial readers the means of making themselves acquainted with the literature of the day.

213. As the provisions hitherto made in the different Colonies to which Orders in Council have been applied, have failed to secure remuneration to proprietors of copyright, we recommend that power should be given to your Majesty to repeal the existing Orders in Council and that no future Order in Council should be made under that Act until sufficient provision has been made by local law for better securing the payment of the duty upon foreign reprints to the owners of copyright works.

214. Probably it would be desirable to grant a certain period to the Colonies, for the purpose of enabling them to propose further and better provisions, before such revocation actually takes place. In that case, however, it should be clearly understood that Your Majesty is in no way pledged, by the grant of such delay, to issue any fresh Order in Council; and power should be given to Your Majesty in Council to revoke, at any time, any future Order in Council, should the provisions of the Colonial law prove practically insufficient.

215. It is perhaps hardly within the scope of this Commission to suggest what provisions Your Majesty should be advised to consider sufficient, within the meaning of the Act, to secure the rights of the proprietors of copyright. But it appears to us that possibly some arrangement might be effected by which all foreign reprints should be sent to certain specified places in the Colony and should be there stamped with date of admission upon payment of the duty, which could then be transmitted here to the Treasury or Board of Trade for the author. All copies of foreign reprints not so stamped should be liable to seizure, and it is worthy of consideration whether some penalty might not also be affixed to the dealing with unstamped copies.

216. And having regard to the power which we have contemplated for authors to obtain colonial copyright by republication in the Colonies and to the licensing system

which we have suggested, we recommend that where an Order in Council for the admission of foreign reprints has been made, such reprints should not, unless with the consent of the owner of the copyright, be imported into the Colony :—

1. Where the owner has availed himself of the local copyright law, if any ;
2. Where an adequate provision, as pointed out in paragraph 207, has been made ; or
3. After there has been a republication under the licensing system.

No. 32.

COLONIAL OFFICE to BOARD OF TRADE.

[Answered by No. 33.]

SIR, Downing Street, June 4, 1892.

In reply to your letter of the 21st ultimo*, enclosing a copy of the report of the Departmental Committee on the Canadian copyright question, I am directed by Lord Knutsford to acquaint you, for the information of the Board of Trade, that his Lordship proposes, if the Board of Trade concur, to send a copy of the report to the Governor-General of Canada, and to invite the views of his Ministers on the subject.

I am, &c.

EDWARD WINGFIELD.

No. 33.

BOARD OF TRADE to COLONIAL OFFICE.

(Received June 20, 1892.)

Board of Trade (Railway Department) London, S.W.,

SIR, June 15, 1892.

I AM desired by the Board of Trade to say that they have had under their consideration the correspondence which has taken place on the subject of the Canadian Copyright Act, and your letter of the 4th instant,† with regard to the report thereon of the recent Inter-Departmental Committee.

The Board of Trade note the suggestions made in paragraphs 55 and 56 of that report with reference to Imperial legislation in the direction therein suggested. It would be obviously useless to introduce legislation on such a subject during the present session, there being no possibility of passing a measure during the short period which remains before the dissolution of Parliament.

With regard to the introduction of such a measure in an ensuing session, I am to state that the Board of Trade share the apprehension of the Inter-Departmental Committee that the provisions suggested would be open to objection from the point of view of the copyright owner, and “would possibly be inconsistent with the views of the “signatories of the Berne Convention as to the rights which copyright should involve ;” and they are of opinion that the introduction of the measure would lead to difficulties having their origin in Great Britain, and arising in States parties to the Convention.

Notwithstanding those difficulties, the Board of Trade are of opinion that such legislation as is contemplated might properly be introduced if it could be regarded as a settlement of the question which has arisen with Canada, and on this ground it seems to the Board of Trade, that it would be desirable to ascertain the views of the Ministers of the Governor-General of Canada with regard to the report.

It is, moreover, not clear to the Board of Trade that Canadians have sufficiently considered and fully appreciate the results which would follow either the approval by the Queen of the Canadian Bill or the withdrawal of Canada from the Berne Convention. For this reason, therefore, as well as on the ground referred to above, the Board of Trade concur in the proposal of Lord Knutsford that a copy of the report should be sent to the Governor-General of Canada and the views of his Ministers invited on the subject.

The Board of Trade are also of opinion that the report should, at the proper time, be presented to Parliament.

I am, &c.

HENRY G. CALCRAFT.

* No. 31.

† No. 32.

No. 34.

LORD KNUTSFORD to LORD STANLEY OF PRESTON.

[Answered by No. 42.]

MY LORD,

Downing Street, June 30, 1892.

I HAVE to express my regret that it has not been possible for me to reply at an earlier date to your Despatch of the 19th of October 1891,* in which you transmitted the address to Her Majesty from the Senate and Commons of Canada in Parliament assembled praying in effect for Imperial legislation which should explicitly confer upon the Parliament of Canada, the power to legislate on all matters relating to copyright, without regard to the statutes in force when the Parliament of Canada was established, and further, that notice might be given of the withdrawal of Canada from the Berne Copyright Convention.

2. I duly laid this petition before Her Majesty who was pleased to receive it very graciously, and to command that it should be taken into consideration by those of her Ministers whose Departments were more immediately concerned in the subject.

3. I communicated copies of the petition to the Secretary of State for Foreign Affairs and to the President of the Board of Trade, and after some discussion it was agreed to appoint a committee of leading officials of the three Departments, who should, with the assistance of one of the Parliamentary Counsel, consider the whole subject of Canadian copyright and report thereupon to Her Majesty's Government. The report of this Committee was unfortunately delayed by the illness of one of the members, but by the end of May it was in the hands of myself and my colleagues.

4. This paper will satisfy your Lordship and the Parliament of Canada that, though Her Majesty's Government have not as yet tendered advice to Her Majesty in respect of this petition, they have not failed to submit the question to a complete and exhaustive examination. It appears to them desirable, before any action is taken upon this report, that an opportunity should be given to the Dominion of Canada of once more considering the whole subject in the light thrown upon it by the researches of the Committee.

5. I therefore have the honour to transmit to you a copy of the Committee's report,† and to request you to communicate it to your Ministers and invite them to favour me with their views upon it.

6. I have also to request that you will lay this Despatch and its enclosures before the Parliament of Canada.

I have, &c.

KNUTSFORD.

No. 35.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received December 10, 1892.)

[Answered by No. 39.]

13, Old Square, Lincoln's Inn,
December 9, 1892.

DEAR MR. WINGFIELD,

As Chairman of the Executive Committee of the Society of Authors I am desired to forward the enclosed opinion, lately taken by the Society, on the state of copyright in Canada, and to submit the same for the consideration of the Secretary of State.

The Committee has adopted, and is to be taken as making, on behalf of the Society, the representations set forth on the last two folios of the copy opinion.

Yours, &c.

F. POLLOCK.

* No. 25.

† Enclosure in No. 31.

Enclosure in No. 35.

Re CANADIAN COPYRIGHT.

At present copyright in Canada, so far as concerns British authors, is governed by the Imperial Act (5 & 6 Vict. c. 44.) as modified by the Modern Reprints Act (10 & 11 Vict. c. 95) and the Canadian Copyright Act, 1875 (38 & 39 Vict. c. 53).

The effect of these Acts may shortly be stated as follows:—Under the Foreign Reprints Act and the Order in Council issued thereunder pirated copies of copyright works are admitted into Canada upon paying an *ad valorem* duty, but, as is well known, the duties are practically never collected, and the compensation supposed to be given to authors is wholly illusory. Under the Canadian Copyright Act, however, authors can, by republishing their works in Canada (whether simultaneously with or at any time after publication elsewhere) and registering the same, obtain Canadian copyright and exclude the operation of the Foreign Reprints Act.

The Act of 1875 is, I think, on the whole as favourable a one as can be expected having regard to the claims made on behalf of the Canadian public and publishers. It has not, however, as I believe yet been taken advantage of to any great extent by English authors, but the difficulty has, I believe, been, so to speak, a geographical one, that is to say, it has been impossible, owing to the position of Canada, either to make the pirated American editions pay duty under the Foreign Reprints Act or keep them out under the Act of 1875. It appears to me, however, that the recent United States Copyright Act should, to a great extent, remove this difficulty, and that English authors should now be able to obtain the benefit of the circulation of their books in Canada if the provisions of the Act 1875 can be maintained. At all events it is not, I imagine, likely that they will be able to obtain any more favourable terms. It remains to be considered how far the position of British authors will be prejudiced by the proposed Canadian statute if it is allowed to come into force.

The first question is whether the statute would operate as a repeal of the Imperial Act so far as regards Canada. In the absence of any provision to that effect in the Act authorising its proclamation, I do not think it would have that effect, but if a British author did not comply with the provisions of the Canadian Act his copyright under 5 & 6 Vict. c. 45 would be subject to the licensing provisions of the Canadian Act. The point should, however, be definitely settled by some express provision.

The next question is as to the terms upon which Canadian copyright is to be secured. These are (1) registration either before or simultaneously with first publication, whether in Canada or elsewhere, and (2) reprinting and republishing in Canada within one month. Both of these conditions appear to be opposed to the principles adopted by the Berne Convention and approved by the English Government. As to the registration it is to be observed that under the Act of 1886 registration in a Colony is recognised as sufficient to secure copyright throughout the British dominions, and it is hard to see why British authors should be required to register in Canada. At all events the same period should be allowed for registration as for republication, especially if copies of the work are to be deposited. As to reprinting and republishing it would probably be useless to attempt to do away with this condition altogether, but I think that an endeavour should be made to extend the period within which reprinting and republishing must take place, though, no doubt, the Canadians will justify themselves by reference to the provisions of the United States Copyright Act.

With regard to the licensing provisions of sections 3 and 4 it appears to me that if exclusive, instead of non-exclusive, licenses were to be granted many of the present objections to these provisions would be removed. The collection of the royalties would, I think, be much easier, whilst the publisher would be free from the danger of being undersold directly a work which had been brought out at considerable expense began to sell and he would, therefore, be more ready to bring out valuable and expensive works, which would be to the advantage of the public.

In any case, I think that the author should be able to take proceedings against the licensees if he is dissatisfied with the Government returns of royalties, but I am unable to suggest any means by which the due collection of royalties can be easily secured under a non-exclusive licensing system. Of course it should be seen that a provision similar to section 4 of 38 & 39 Vict. c. 53. prohibiting the importation of Canadian reprints into the United Kingdom is inserted in any Imperial Act authorising the proclamation of the Canadian statute. I can hardly imagine that the statute is intended to be retrospective,

but if it is not I do not understand to what sub-sections 3 and 4 of section 5 of the Act 1875, as amended by the proposed statute are intended to apply, and I think it would be as well that it should be made clear that the statute is not, in fact, retrospective. Another point I think which should if possible be made clear is that the author should be entitled, in the event of licenses being issued under section 3, to take proceedings against unlicensed reprints, I think he probably would be able to so as the matter stands, but the point is not free from doubt.

The above are the principal points which occur to me in connexion with the proposed statute, and if, as I understand is the case, the matter is still before Government the Society might I think properly make representations with regard to them. They may be summarised as follows:—

1. The proposed statute is entirely contrary to the provisions of the Berne Convention and the Imperial Act of 1886. If it is allowed to come into force it would seem that Canada must be excluded from the Convention. On principle, therefore, the statute should not be allowed, but if, for any reason, it is considered that exceptional legislation is required for Canada the following points arise in the interest of British authors;
2. Copyright under 5 & 6 Vict. c. 45 should be expressly reserved subject only to the licensing provisions of the statute;
3. Either registration in the United Kingdom should be sufficient, or the same period should be allowed, for registering in Canada as for republication;
4. That one month is not a sufficient period to allow for the republication of works first published in the United Kingdom;
5. That if a licensing system is to be introduced the licenses granted should be exclusive;
6. That, in any case, authors should be entitled to take proceedings against licensees for royalties if dissatisfied with Government returns;
7. That Canadian reprints should not be allowed to be imported into the United Kingdom;
8. That it should be made clear that the statute is not retrospective, and;
9. That authors should be expressly empowered to take proceedings in respect of unlicensed reprints.

J. ROLT,
3, New Square, Lincoln's Inn, W.C.,
22.11.92.

No. 36.

COLONIAL OFFICE to FOREIGN OFFICE and BOARD OF TRADE.

[Answered by Nos. 37 and 38.]

SIR, Downing Street, December 19, 1892.

WITH reference to previous correspondence respecting the question of Canadian copyright, I am directed by the Marquess of Ripon to transmit to you, to be laid before the Earl of Rosebery, a copy of a letter* from the Society of Authors enclosing an opinion from Mr. Rolt on the Act of 1889.

Lord Ripon proposes if Lord Rosebery see the Board of Trade sees no objection to inform the Dominion Government of the representations of the Society as summarised at the end of Mr. Rolt's opinion.

I am, &c.

JOHN BRAMSTON.

No. 37.

BOARD OF TRADE to COLONIAL OFFICE.

(Received December 23, 1892.)

Board of Trade (Railway Department), London, S.W.,
December 21, 1892.

SIR,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 19th instant,* transmitting copy of a letter from the Society of Authors, enclosing an opinion from Mr. Rolt on the Canadian Copyright Act of 1889, and, in reply, to state, for the information of Lord Ripon, that there would appear to be no objection to a copy of this communication from the Society of Authors being forwarded for the information of the Canadian Government.

I am, &c.

COURTENAY BOYLE.

No. 38.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received December 28, 1892.)

SIR,

Foreign Office, December 27, 1892.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 19th instant,* enclosing a copy of a communication from the Society of Authors relative to the Canadian Copyright Act of 1889.

Mr. Rolt's opinion therein enclosed does not seem to have been based upon all of the considerations in regard to the operation of the Imperial Act of 1886 which are alluded to in the report of the Departmental Committee upon this subject, and his Lordship fears that if the representation of the Society of Authors were now communicated officially to the Canadian Government it might give rise to difficulty and misapprehension, not only as respects the legal issues involved, but also as to the exact position of Her Majesty's Government in the matter.

Lord Rosebery would therefore suggest, for the consideration of the Marquess of Ripon, that a copy of the report of the Departmental Committee might be communicated confidentially to the Society of Authors, with an intimation that it has been referred to the Dominion Government for their observations; that the representations of the Society shall be borne in mind in connection with future action; but that, before making any further communication on the subject to the Canadian Government, Her Majesty's Government desire to await their observations upon the report of the Departmental Committee.

I am, &c.

T. H. SANDERSON.

No. 39.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

[Answered by No. 40.]

SIR,

Downing Street, January 3, 1893.

WITH reference to your letter of the 9th ultimo,† respecting the Canadian Copyright Act of 1889, I am directed by the Marquess of Ripon to transmit to you, for confidential communication to the Society of Authors, a copy of the Report‡ of an Inter-departmental Committee on the subject of the law in question which has been referred to the Canadian Government for consideration.

Lord Ripon would be glad to be informed whether, after perusing this report, the Society of Authors wish to add anything to the representation contained in your letter under reference.

I am, &c.

EDWARD WINGFIELD.

* No. 36.

† No. 35

‡ Enclosure in No. 31.

No. 40.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.
(Received February 9, 1893.)

[Answered by No. 41.]

4, Portugal Street, Lincoln's Inn Fields, W.C.,

MY LORD,

February 8, 1893.

I BEG to thank your Lordship for forwarding, for the consideration of the Executive Committee of the Society, the Inter-Departmental Report on the question of Canadian Copyright, which has been placed in the hands of the Society's advisers and fully considered. I now, on behalf of the Committee of the Society, beg to inform your Lordship that as the matter at present stands the Committee do not desire to make any further suggestions.

On behalf of the Committee I beg to tender you our sincere thanks for the courtesy you have shown the Society in the matter in consulting them, and to express the hope that it may be consistent with the interests of the public service to acquaint the Society with the answer of the Canadian Government when it is received.

I am, &c.

FREDERICK POLLOCK,
Chairman.

No. 41.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

SIR,

Downing Street, February 17, 1893.

I AM directed by the Marquess of Ripon to acknowledge the enclosure of your letter of the 8th instant,* on behalf of the Society of Authors, relative to the question of Canadian copyright, and to state that the desire of the Society to be informed of the answer of the Dominion Government will be borne in mind.

I am, &c.

EDWARD WINGFIELD.

No. 42.

THE EARL OF ABERDEEN to the MARQUESS OF RIPON.
(Received February 28, 1894.)

Government House, Ottawa,

MY LORD,

February 10, 1894.

MY Ministers have had under consideration your Lordship's Despatch of the 30th June 1892,† transmitting the report of the Committee appointed to consider the petition of the Canadian Parliament praying that it might be granted wider powers of legislation as regards copyright, and that notice might be given of the withdrawal of Canada from the Berne Copyright Convention, and the approved Minute of Council of which I have the honour to enclose a copy, received by me to-day, contains an expression of their views upon this Despatch.

Your Lordship will observe that Ministers consider that nothing contained in the report is likely to change their opinion as to the propriety of notice being given, with the least possible delay, of the withdrawal of Canada from the Berne Convention, and further press their request that such notice be given.

With regard, however, to the question of the enactment of Imperial legislation to give greater freedom to the Canadian Parliament in dealing with questions of copyright, a further report is promised by the Government.

I have, &c.

ABERDEEN.

Enclosure in No. 42.

CERTIFIED COPY of a REPORT of a COMMITTEE of the Honourable the PRIVY COUNCIL, approved by his Excellency the GOVERNOR-GENERAL IN COUNCIL, on the 23rd January 1894.

The Committee of the Privy Council have had under consideration, a Despatch, hereto attached, dated 30th June 1892,* from the Right Honourable the Principal Secretary of State for the Colonies, relating to the address to Her Majesty from the Senate and Commons of Canada praying for Imperial legislation which should explicitly confer upon the Parliament of Canada the power to legislate on all matters relating to Copyright, without regard to statutes in force when the Parliament of Canada was established; and praying further that notice might be given of the withdrawal of Canada from the Berne Copyright Convention.

The Minister of Justice, to whom the matter was referred, observes that the Despatch now under consideration states that the petition was ordered by Her Majesty to be taken into consideration by those of Her Majesty's Ministers whose Departments were more immediately concerned in the subject, and that a committee had been appointed, of leading officials of the Department of Foreign Affairs, of the Department of the Colonial Office, and of the Board of Trade, to consider, with the assistance of one of the Parliamentary Counsel, the whole question of Canadian Copyright and to report thereon.

The Minister also observes that the Despatch further stated that, in the view of Her Majesty's Government, it appeared to be desirable, before any action should be taken upon this report, that an opportunity should be given to the Dominion of Canada once more to consider the whole subject in the light thrown upon it by the researches of the Committee, and the report was transmitted to his Excellency along with the Despatch.

The Minister further observes that, having carefully perused the report of the Committee referred to, he is of opinion that nothing contained therein is likely to change the opinion of your Excellency's advisers as to the propriety of the request which they have pressed on several occasions, and which the Parliament of Canada has, on more than one occasion, unanimously endorsed, namely the request that notice should be given, with the least possible delay, of the withdrawal of Canada from the Berne Convention.

The Minister deems it unnecessary to remind your Excellency that Canada has been repeatedly assured that her continuance in any treaty arrangement of this kind would be subject to her desire to withdraw at any time on giving the prescribed notice, and, now that the policy of Canada has been so firmly established and repeatedly pressed upon Her Majesty's Government, both by Parliament and by your Excellency's advisers, he (the Minister) recommends that your Excellency be requested to remove Her Majesty's Secretary of State for the Colonies to cause such notice to be given without further delay.

The Minister states that he will respectfully submit some observations upon the report of the Committee before referred to on the other subject embodied in the address of the Canadian Parliament to Her Majesty, namely the adoption of legislation in the Parliament of the United Kingdom giving greater freedom to the Parliament of Canada in dealing with the subject of copyright, but he submits that, in the meantime, the notice of withdrawal from the Berne Convention should in any case be given.

The Committee advise that your Excellency be moved to forward a certified copy of this minute, if approved to the Right Honourable the Principal Secretary of State for the Colonies.

All of which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

* No. 34.

No. 43.

THE EARL OF ABERDEEN to the MARQUESS OF RIPON.
(Received March 9, 1894.)

Government House, Ottawa,
February 20, 1894.

MY LORD,

WITH reference to previous correspondence relative to the question of copyright in Canada, I have the honour to forward herewith copy of an approved Minute of the Privy Council, which I have this day received, submitting a report by the Minister of Justice in which he recapitulates the history of the question and again urges that steps be taken by Her Majesty's Government to remove the restrictions which prevent the Canadian Parliament dealing freely with matters relating to copyright.

I have, &c.

ABERDEEN.

Enclosure in No. 43.

CERTIFIED COPY of a REPORT OF A COMMITTEE of the HONOURABLE THE PRIVY COUNCIL approved by His Excellency the GOVERNOR-GENERAL IN COUNCIL, on the 7th February 1894.

The Committee of the Privy Council have had under consideration the annexed report of the Minister of Justice, relating to copyright in Canada.

The Committee, concurring therein, advise that your Excellency be moved to forward a certified copy of this Minute, if approved, and the appended report and annex to the Right Honourable the Principal Secretary of State for the Colonies.

All of which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

TO HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL,

*1. THE undersigned, having had under consideration a Despatch from Lord Knutsford to your Excellency's predecessor, dated 30th June 1892, in reply to a Despatch of his Excellency Lord Stanley of Preston of the 19th October, 1891, in which his Excellency transmitted an address to Her Majesty from the Senate and Commons of Canada, praying for Imperial Legislation which should explicitly confer upon the Parliament of Canada the power to legislate on all matters relating to copyright in Canada without regard to statutes in force when the Parliament of Canada was established, etc., etc., has the honour to submit the following observations upon the report which accompanied the Despatch of Lord Knutsford, and which had been made by departmental representatives of the Colonial Office, Foreign Office, Board of Trade and Parliamentary Counsel's Office to the Right Honourable Sir Michael Hicks Beach on the subject of Canadian copyright.

2. It is, no doubt, true, as stated in the third paragraph of the report of the Committee, that from the point of view of British authors and publishers, the Imperial statute of 1842 was satisfactory to those authors and publishers; because it gave the British author and publisher a monopoly, by copyright, extending over the Sovereign's dominions for 42 years from the first publication, or seven years from the author's death. It may be regarded, indeed, as a continuance, for their benefit, of the system which was based on the idea that the Colonies were to be preserved only for the benefit of the producers in the British Islands, and that the inhabitants of those Colonies had no rights of self-government or otherwise which were inconsistent with the interests of British producers.

3. The Colonial publisher and the Colonial reader, however, had every reason to be dissatisfied with the enactment of 1842, and it is not to be wondered at that their representatives made very emphatic protests. Those protests are enumerated and referred to in the letter of the undersigned to Lord Knutsford, dated 14th July 1890, which forms an appendix to this report.

4. The protests and the agitation for redress continued until 1846, when Mr. Gladstone gave warning to the publishing trade in England that they must be induced "to modify

* The paragraphs have been numbered to facilitate reference to the comments of the Copyright Association.
See *post* No. 82.

"any exclusive view which might still prevail in regard to this important subject;" and shortly afterwards a report was made from the Colonial Office to the Board of Trade intimating the decision of the Secretary of State for the Colonies, Earl Grey, that "after the repeated remonstrances which had been received from the North American Colonies on the subject of the circulation there of literary works of the United Kingdom, he proposed to leave to Colonial legislatures the duty and responsibility of enacting laws which they should deem proper for securing the rights of authors and the interests of the public."

5. Earl Grey requested that the Board of Trade should be moved to take "such measures as might be expedient for submitting to Parliament, at the ensuing session, a Bill authorising the Queen to extend the Royal sanction to any Colonial law or ordinance which might be passed respecting copyright, notwithstanding the repugnancy of any such law or ordinance to the copyright law of the United Kingdom."

6. The circular of Earl Grey to the Governors of the North American Colonies, which followed, dated November 1846, announced that this was settled as the policy of Her Majesty's Government, and the Governors were informed that a measure to carry out that suggestion would be introduced at the ensuing session. The full text of this circular will be found in the appendix, and it is remarkable that the assurance thus given, of the policy of Her Majesty's Government towards the North American Colonies, remains unfulfilled to this day, in consequence, it must be assumed, of the influence which two classes—the authors and the publishers in the United Kingdom—were and have been able to exercise with regard to the legislation which had been promised, in relation to a matter so important to Her Majesty's Colonies.

7. In paragraph 6 of the report, the Committee thus refer to the pledge given by Her Majesty's Government to the Colonies:

"It was, however, eventually determined not to legislate in accordance with the terms of Lord Grey's Despatch, but, instead, to pass the Imperial Act which bears the short title of the 'Colonial Copyright Act of 1847' but is commonly known as 'The Foreign Reprints Act.'"

8. It might be supposed, from this mode of stating the case, that the "determination not to legislate in accordance with the terms of Lord Grey's Despatch" was a determination arrived at as the result of an understanding with the Colonies, that this measure should be accepted as a substitute for the concession which Lord Grey had promised. This, however, does not appear to have been the case. It was a measure of temporary and partial relief and it can hardly be supposed that a determination was arrived at by Her Majesty's Government, to abandon or repudiate the pledge which had been so formally given, or even to substitute for what had been promised a measure which, while it might satisfy present wants, fell vastly short of what had been promised. The "Foreign Reprints Act" was, no doubt, adopted merely as a measure of temporary relief and until the wider measure could be obtained.

9. Paragraph 6 of the Committee's report states that the Act "was satisfactory from the point of view of the Canadian reader, because it enabled him to obtain cheap reprints of British copyright books." It is true that the "Foreign Reprints Act" was, as stated above, a measure of relief to the Canadian reader, for the reason given in the paragraph quoted. The legislatures of the Colonies were willing to wait a reasonable time for the fulfilment of Earl Grey's promise, and in the meantime to accept the temporary expedient by which the monopoly which excluded British literature from the borders of the Colonies, was relaxed in favour of an impost for the benefit of those who had a (statutory) right to that monopoly. In short the Imperial Parliament, finding the monopoly so great a grievance, obliged the holders of it to compound for money compensation which the Colonist would pay without much expression of discontent, even if it involved the denial to his country, for a time, of the rights of self-government which should have been considered at least as important as the (statutory) rights of copyright holders, and which had been promised in the plainest terms.

10. It was quite obvious, however, that the Colonies would not long rest satisfied with such a system. The growth and development of their publishing interest would have put an end to acquiescence in the scheme, even if the legislatures had been willing to continue to be denied their proper powers and to be tax-gatherers for a privileged class outside the country.

11. In March, 1870, the British copyright owners, not being satisfied with the proceeds of the taxation on foreign reprints, and desiring their monopoly restored to its full vigour, demanded the repeal of the Foreign Reprints Act.

12. The Copyright Commission of 1876 followed, and in their report of 1879 it was stated that copyright holders had only received, as the result of their taxing scheme, from

nineteen Colonies which had taken advantage of the Act, 1,155*l* 13*s*. 2½*d*.; but it is to be observed that of this sum 1,084*l* 13*s*. 3½*d*. was received from Canada, leaving about 71*l*. as the contribution from the other eighteen Colonies. Probably the same proportion has been continued since. Great pains have been taken to collect the tax for the benefit of copyright holders, notwithstanding the belief has been growing, from year to year, that the present state of the law is odious and unjust. The copyright holders of the United Kingdom have made suggestions from time to time for improvements of the method of collecting this tax, in order that the proceeds may be augmented, and the Government of the Dominion has always made the collections vigilantly and in good faith. They are willing even to adopt improved methods of collection, but they can only offer to do so as part of an improved scheme of copyright, such as that embodied in the Canadian Act of 1889 and by way of an amendment to some such enactment as that, to come into force concurrently with such Act.

13. While, as has been stated, the "Foreign Reprints Act" gave a measure of relief to the Canadian reading public, it had the effect of creating a monopoly for the publishers of the United States and of preventing the publishing business of Canada from attaining dimensions such as might reasonably have been expected in a country where the whole population is a reading population, and where the practice has always been, with few exceptions, compared with European countries, for the people to buy the books which they read. In spite of this disadvantage the publishing interest has grown very considerably. It has been represented in some former discussions on this question as being small and unimportant. All that seems necessary to be said upon that subject, for the present, is that it is small in comparison with what it should be, and in comparison with what it would be under a proper adjustment of the copyright laws.

14. It is noted in paragraph 14 of the Committee's report that the Senate of Canada adopted an address to Her Majesty in 1868, urging the change which Lord Grey had promised, that the answer thereto, on the 22nd of July 1868, was merely that the question was too important, and involved too many questions of imperial policy for legislation at that session of Parliament, and it was then intimated that negotiations with the United States on the subject of copyright required some delay in dealing with the Colonies with regard to that interest.

15. The part which negotiations with the United States have played in this discussion with Canada will be referred to hereafter, but it is apparent that for more than twenty years these negotiations have been made use of as a reason for postponing the requests, admitted to have been reasonable, which were presented by the Dominion of Canada and that when an arrangement was eventually made with the United States, the publishers of that country received the benefit of the British copyright monopoly of the Colonies, with rights reserved in their favour which were refused to Canada, and the conclusion of that arrangement with the United States is now suggested by the Committee, whose report is under review, as a new reason why the demands of Canada should not prevail, because it would interfere with the United States copyright holders who have been presented with the monopoly of Canada for the sale of their publications.

16. Pursuing the narrative, however, it is important to note that the assurances which have been received by Canada from time to time express sympathy with the Colonial interests; and that after more than twenty years of inquiry, consideration, discussion, sympathy and promises, it was stated by the Lords of Trade, with reference to that address of the Senate, that the subject was "a matter that called for inquiry" and that "an endeavour should be made to place the general law on copyright, especially "that part of it which concerned the whole continent of America, on a more satisfactory footing."

17. It may be observed here that by the arrangement with the United States "the general law of copyright, in so far as it concerned * * * * continent of America," was indeed put on a footing more satisfactory as regards the British author and publisher and the United States publisher, but that that part of the continent of North America which bears allegiance to Her Majesty has received no consideration in the improvement of the law.

18. The Duke of Buckingham and Chandos on the 31st July 1868, sending his formal reply to the Despatch accompanying the address of the Senate, made the admission, which was not very remarkable at that stage of the discussion, that "the law of "copyright generally might be a very fit subject for future consideration."

19. The Canadian Government were of the same opinion, and on 9th April, 1869, they transmitted another representation on the subject, but the Board of Trade considered that the Canadian proposal should not be adopted immediately, because nothing could be done for Canada unless the United States were a party to the arrangement, and that

“whatever protection should be given to authors on one side the St. Lawrence must, in order to be effectual, be extended to the other.” The equivalent proposition would seem also to be implied, viz., that whatever protection might be given to publishers on one side the St. Lawrence must be extended to the other. Her Majesty’s Government, however, have not yet carried out those propositions because they have agreed to an arrangement by which the British author or publisher, in order to get the benefit of copyright protection in the United States, is obliged to print his book from type set in the United States, and it yet withholds from Canada the concession of allowing a Canadian publisher to reprint at all, even from plates imported from Great Britain, and on payment of a tax levied in favour of the copyright holder on every copy of the publication.

20. Canada was assured, however, by Earl Granville’s Despatch of the 20th October 1869, that at the ensuing session of Parliament copyright would be permitted on publication in the Colonies, a concession of very slight and doubtful importance. When, under the Berne Convention, a concession in that direction was given, the Colonial author or publisher received his slight privilege only in common with the authors and publishers of all the other countries included in that convention.

21. Attention is again called to the report of the Minister of Finance of Canada in 1870, followed by the request of Lord Kimberley on the 29th of July 1870, that the views of the Canadian Government might be again forwarded in order that Her Majesty’s Government might give them consideration before the ensuing session—and to the report from the Ministers of Finance and of Agriculture, dated 30th November 1870, in which those views were once more set forth. Consideration seems not to have been given to the information thus asked for and obtained, and on the 14th of May 1872, the views of the Canadian Government were again set forth in a report of the same Ministers which was adopted and transmitted on the 14th of the same month.

22. After thirty years of reiterated complaints the Canadian Government felt called upon to declare the existing system “wholly indefensible,” and to state that the Canadian publishers were being “treated with the greatest injustice.” The report of the Ministers stated that it had “long been the custom of owners of British copyright to sell to “American publishers advance sheets of their works, and when Canadian publishers” had “offered to acquire copyright in Canada by purchase, they had been told that the “arrangements made between the British and American publishers were such as to “prevent negotiations with Canadians.”

23. In the same year a Copyright Act was passed by the Canadian Parliament and forwarded for Her Majesty’s assent. It was based on the same principles as the Canadian Copyright Act of 1889. The assent was withheld.

24. The undersigned does not propose, in the course of these observations, to detail at length the various negotiations which have taken place. They will be found more fully stated in the appendix hereto. Attention is called to them in this place chiefly because many which seemed to the undersigned to be of importance are not mentioned in the report of the Committee, and because it seems important to notice that from the commencement of the agitation in 1842 down to the present year, the representations from the North American Colonies have met with the same response from Her Majesty’s Government, namely, an admission that grievances existed as stated, promise of redress—followed by expressions of determination to consider the subject and a declaration that the measure proposed by the Parliament of Canada to lessen the grievances was beyond the powers of that Parliament and must be authorised by an Act of the Imperial Parliament in order to be effectual.

25. The Despatch of Lord Carnarvon, dated 15th June 1874, is an illustration of the progress which the agitation had made since Her Majesty’s Government, in 1846, with a full knowledge of the whole subject, had promised to confer full legislative powers at the ensuing session. His Lordship stated then (twenty-eight years after Lord Grey’s circular Despatch) that he was aware “that the subject of Colonial copyright had long “been under consideration,” that he was ready “to co-operate” and that he had “a “confident hope” that Her Majesty’s Government might, “without difficulty be able to “agree on the provisions of a measure which, while preserving the rights of owners of “copyright works” in the United Kingdom “under the Imperial Act, would give effect “to the views of the Canadian Government and Parliament.”

26. One of the most important points in the narrative is that mentioned in paragraph 21 of the Committee’s report, namely, the appointment of a Royal Commission on Copyright in 1876, and also the report of that Commission in 1879. It appears necessary to point out that the report of that Commission recommends the adoption of the principle on which is based the Canadian Copyright Act of 1889, namely, the establishment of a

licensing system for republications of copyright works in the Colonies and the collection of a tax in favour of the copyright holder as a compensation.

27. In pursuing the course of discussion followed by the Committee, whose report is under review, it seems proper to make some reference to that branch of the subject which refers to copyright arrangement with other countries; and first to notice the position of your Excellency's Government on the subject of the Berne Copyright Convention.

28. At the outset, however, it may be well to state the ground upon which the Canadian Government base their request for the withdrawal of Canada from that convention. When assent was given, on the part of the Canadian Government, to be included in that convention, one of the considerations which prevailed was the confidence in the assurances given by Her Majesty's Government with regard to the amelioration of the law of copyright as it affected Canada, notwithstanding the great delay which had occurred. But the principal consideration was the fact that Canada could withdraw from the convention on a year's notice to that effect being given to the countries included in the convention.

29. The Canadian Government afterwards formally requested Her Majesty's Government to give notice of the withdrawal of Canada. That request not having been complied with, an address of both Houses of Parliament to Her Majesty was unanimously passed in the session of 1891, requesting that the notice be given. Recently your Excellency's Government has forwarded a renewed request that the notice be given without further delay. The undersigned respectfully submits that the reasons which induce persistence in this determination to withdraw from the convention are in the judgment of the Parliament and Government of Canada.

30. Parliament has complete cognizance of Canadian interests in such matters and has unanimously endorsed the request of your Excellency's advisers that notice should be given.

31. The statement was made by the undersigned, in a previous report, that the condition of the publishing interest in Canada was made worse by the Berne Convention. That statement is adhered to. The monopoly which was in former years complained of in regard to British copyright holders is now to be complained of, not only as regards British copyright holders, but as to the same class in all countries included in the Berne Copyright Union. Canada is made a close market for their benefit, and the single compensation given by the convention for a market of five millions of reading people is the possible benefit to the Canadian author, whose interests seem not to have been thus cared for on account of a very high estimate of their value, because the Committee whose report is under review describe the Canadian author as "belonging rather to the future than to the present." Without accepting this estimate as quite accurate it may at least be said that the Canadian Parliament may be trusted to care for the interests of Canadian authors. The Berne Convention had in view considerations of society which are widely different from those prevailing in Canada. In Europe the reading population in the various countries is comparatively dense; in Canada a population considerably less than that of London is dispersed over an area nearly as large as that of Europe. In the cities of Europe, especially in Great Britain, the reading public is largely supplied from the libraries, while, in Canada, as a general rule, he who reads must buy. In European countries the reading class forms but a fraction of the whole population, while in Canada it comprises nearly the whole population.

32. If reasons against the continuance of Canada in the convention were called for, many would suggest themselves, but the undersigned does not understand that your Excellency's Government is called upon to give those reasons or to present an argument to justify the determination of Canada to withdraw from the convention.

33. No enactment in Canada to give effect to the Berne Convention has ever been passed, although some enactment would be necessary in order to make the system operative and effectual here.

34. As regards what is called the "arrangement" made between Her Majesty's Government and the United States, some observations seem specially called for, in view of the position taken by the Committee whose report is being considered. In March 1891, Congress passed the present copyright law. That law gives copyright in the United States to any author, whether a citizen of the United States or a subject of a foreign State, on condition that two printed copies of the book, printed from type set within the limits of the United States, be deposited (in accordance with regulations prescribed), on or before the publication of the book. It is necessary, however, in the case of the subject of a foreign state, to show that his State permits citizens of the United States

to have the benefit of copyright on the same terms as her own citizens. That requirement, of course, is easy of fulfilment in the case of Great Britain, for the Copyright Act of 1842 permitted foreigners to obtain copyright, running not only in the United Kingdom but throughout Her Majesty's dominions, on mere publication in Great Britain, without any condition as to the type being set within the Queen's dominions.

35. It seems, from the Committee's report, to be considered that Lord Salisbury, on the 15th June 1891, made an agreement with the United States which is an obstacle in the way of the Canadian request for improved copyright legislation being granted. If such could be supposed to be the case the contention of Canada in this respect would present a far more serious ground of complaint than has been yet stated. The contention would be, that after promises of redress had for many years remained unfulfilled and at last fulfilment postponed on the explanation that such redress would be considered in negotiations for an international arrangement with the United States, Canada would now have to be informed that her request cannot be entertained or considered any longer, because the international arrangement with the United States precludes any consideration of her interests.

36. The undersigned submits, however, that such is not a correct statement of the facts, or a reasonable conclusion from them. Mr. Lincoln, the United States Minister at London, appears to have asked information from Lord Salisbury as to the state of the copyright law in the United Kingdom. The reply of Lord Salisbury was that an alien, by first publication in any part of Her Majesty's dominions, could obtain the benefit of British copyright and that contemporaneous publication in a foreign country did not prevent the author from obtaining copyright in Great Britain, that residence in Her Majesty's dominions was not a necessary condition, and that the law of copyright in force in all British possessions permits citizens of the United States of America to have the benefit of copyright on the same basis as British subjects.

37. It is submitted that in making this statement Lord Salisbury was merely stating what he believed to be the condition of the law of copyright at that time. He was not making any treaty nor any arrangement with regard to copyright, although, probably, for convenience of expression the term, "arrangement with the United States" has been used in the report of Committee, and also in course of these observations. The Committee in their report seem to treat Lord Salisbury's answer (as to the condition of the existing law), as an agreement and almost as equivalent to an undertaking that the law should never be changed. Otherwise it is difficult to understand such expressions as are contained in paragraph 51: "The Act of 1889" (meaning the Canadian Act), "if confirmed by Her Majesty's Government, after the assurance given to the Government of the United States in 1891, would give rise to misconception and misunderstanding." "Of course if Canada were to withdraw from the operation of the Act of 1886, and still more if she were allowed to withdraw from the Act of 1842, there would be not merely a formal, but a substantial inconsistency between her legislation and Lord Salisbury's declaration."

38. It is not suggested that Lord Salisbury's declaration was that the law should not be changed, but that seems to be implied. If such is indeed to be inferred from Lord Salisbury's reply to Mr. Lincoln it would be well to inquire how long his declaration was intended to continue in force or is to be construed as being in force? Is it possible that the Convention of Berne, which was to endure until a year after denunciation, in so far as Canada was concerned, was intended by Lord Salisbury to be made perpetual in its application to Canada, by his making a statement of the law of the United Kingdom to Mr. Lincoln?

39. It seems perfectly obvious, notwithstanding the contrary view suggested by the report of the Committee, that Lord Salisbury merely informed Mr. Lincoln that on the 16th of June 1891, the first condition above set forth, in the United States Copyright law, was complied with by the state of British law at the time. Lord Salisbury's object was to show Mr. Lincoln that Great Britain permitted citizens of the United States the benefits of copyright on substantially the same basis as to her own citizens. The Canadian Government and Parliament ask for no other condition of affairs; and Lord Salisbury's statement to Mr. Lincoln will still be good, and the reasonable requirements of the United States Government will still be satisfied if the Canadian Act of 1889 be ratified, because American holders of copyright in Great Britain will still be on the same footing as British copyright holders.

40. Before the so-called "arrangement with the United States" was made, in a letter which the undersigned had the honour to write to Lord Knutsford, on the 14th of July 1890, it was suggested, as is quoted in paragraph 43 of the Committee's report:

"(1.) That the present policy of making Canada a market for American reprints, and closing the Canadian press for the benefit of the American press, in regard to British copyright works, has a direct tendency to induce the United States to refuse any international arrangement."

"(2.) That inasmuch as the existing Canadian copyright law affords protection to the copyright holder in every country which may make a treaty with Great Britain, it cannot be suggested, as it once was, that self-government in Canada on this subject would in the least impede negotiations with the United States for an international arrangement."

41. This prediction has been abundantly fulfilled since the passage of the United States Copyright Act. The United States publishers now insist in making their arrangements with British authors and publishers, on a condition that Canada be included in the territory disposed of. Furthermore, the American purchasers of British rights refuse to Canadian publishers any arrangement for the publication of reprints in Canada. In this way the copyright holder outside of Canada not only enjoys in Canada a monopoly which the Copyright Act of 1842 gave him, but can, and does, sell to foreigners that monopoly in Canada, and the foreign purchaser thus acquires the right, under the Statute of 1842 and the Berne Convention Act of 1866, to lock the Canadian presses in order that his own may be kept in operation to supply Canadian readers.

42. It should be observed that by the Canadian Copyright Act of 1889, Canada asks less than the United States has obtained. The Congress of the United States has demanded that, before a British subject can obtain copyright in the United States, his book shall be printed from type set within the limits of the United States. Great Britain not only accedes to this demand, but permits a citizen of the United States to obtain copyright of his work in England, on production of his work there, printed on the type set in the United States, and thus the United States publisher at the same time secures copyright in both countries for a book produced from American type. The Canadian Act would permit type to be set in England and the plates imported, and on printing therefrom, copyright would be granted in Canada, if the printing were done within one month of the original publication elsewhere; but failing such publication, the British copyright holder would be secure in his ten per cent. royalty if the book should be republished (under license) in Canada.

43. In view of this state of affairs it is not accurate to say, as seems to be suggested in paragraph 54, section 4 of the report under review, that "The present demand for legislation on the lines of the Canadian Act of 1889, appears to come, not from the Canadian reader or author, but from the Canadian publisher and printer, who feel severely the competition of rivals in the United States, and wish to protect themselves by excluding their rivals' wares."

44. What the Canadian publishers principally complain of, under the present state of affairs, is that they are not allowed to compete with publishers of the United States, inasmuch as the British copyright holders dispose of their rights to American publishers on condition that the latter shall have a monopoly of the Canadian market.

45. Another statement contained in the same paragraph of the report (section 6), indicates a want of information as to the facts, viz., the statement "That the effect of the recent American Act would not be to increase the inducement to American publishers to reprint British books. Before the Act they could reprint any such books freely; since the Act they must make arrangements with such authors as take advantage of the provisions of United States legislation." The fact is that English books are eagerly sought for by United States publishers. They can afford to pay high prices in view of the fact that the market of Canada is included in their purchases. The English authors are induced, also, to seek purchasers in the United States, in order to obtain copyright there and to get their books printed from United States type, which is a condition imposed there, although not imposed in Britain on the United States author when he seeks copyright protection throughout the British Empire.

46. It is this enormous disadvantage, and not the competition of publishers in the United States, that Canada complains of, and it cannot correctly be alleged that the Canadian publishers "are undersold by competitors who have the advantage of larger capital and a larger market."

47. The Committee have devoted a considerable portion of their report to a statement of the objections to the confirmation of the Canadian Act of 1889. The undersigned forbears, at the present time, from entering into a discussion of the legal views on which the necessity for an Imperial statute to confirm the Canadian Act depends. They have been fully set out in a report which he made in August, 1889. To the arguments therein stated he still adheres, but when it was made apparent, in the reply which was

received to that report, that the Colonial Office had adopted a different opinion and held that an Imperial statute was necessary, the attention of the Canadian Government and Parliament were immediately applied to the task of showing Her Majesty's Government that, for every reason which could be drawn from the assurances of the past, such an enactment should be speedily given. It was this branch of the subject that the undersigned had the honour to present, in his letter of the 14th July 1890, written at Lord Knutsford's suggestion, and it is to this branch of the case that the present observations are intended principally to be applied.

48. It is proposed, therefore, to consider the various objections which are stated by the Committee in their report.

The first objection is this: "It would involve abandonment of the policy of international and imperial copyright which Her Majesty's Government adopted and to which Canada assented only six years ago."

49. It is denied that the provisions of the Canadian Act would involve the abandonment of that policy, even in so far as Canada is concerned, because the copyright holder would still be compensated by the royalty instead of the customs duty. As regards the assent of Canada of six years ago to the Berne Convention, Canada's right to withdraw from the convention on a year's notice, was placed on the face of the treaty and she would not have consented to enter without that condition. The right has never been questioned and a request that Her Majesty's Government should give notice of Canada's withdrawal has been most distinctly and emphatically made. With a knowledge of these facts the Committee's report, in paragraph 50, uses these words: "If Canada presses for withdrawal from the Berne Convention her request cannot well be refused."

50. The undersigned ventures to express the hope that no doubt will be entertained on this point. By an Order in Council, Canada, years ago, asked for the notice to be given. By an address of both Houses of Parliament she repeated that request in the most formal manner to Her Majesty. By a Despatch of recent date your Excellency's Government urged that the notice be given without any further delay; and, in case there should be any uncertainty on the subject, it is now asserted that "Canada presses for withdrawal from the Berne Convention."

51. The next objection stated is that "It would be at least open to the charge of being inconsistent with the declaration as to the law of the United Kingdom and the British possessions which was made to the United States by Lord Salisbury, on the faith of which the United States admitted British authors to the benefit of their copyright law." This seems so fallacious as to call for no further comment than has been made upon it in an earlier portion of this report. It is impossible, in the view of the undersigned, that Lord Salisbury's statement of the law should be construed as a promise for all time, or for any time. But if, by this statement, it is intended to be inferred that the United States will hold at such high value the market of Canada, which they are now able to control, as to refuse copyright to British authors if that market be not continued to them, the demand for redress on the part of Canada will be more emphatic than ever, because the inquiry will arise whether it is proposed to place an important commercial interest of Canada at the disposal of a privileged class in Great Britain to be bartered for privileges to that class in a foreign country. It will be necessary to consider at once how long the market of Canada is to be thus controlled, and whether it is to be finally settled that Canada is to be placed at a disadvantage as compared with other countries in her neighbourhood because her people have retained connexion with the Empire, which they have so long done from very different motives than those of self interest.

52. The next objection is that the confirmation of the Canadian Act "would be inconsistent with the policy of making copyright independent of the place of printing"—a policy—which Her Majesty's Government have for many years been urging the United States to adopt."

53. It is well known that the United States have never shown a disposition to adopt any such policy. It is difficult to suppose that any well-informed person entertains any expectation that they will do so. Her Majesty's Government evidently had no such view when, by Lord Salisbury's "arrangement" with Mr. Lincoln, they conceded to United States citizens copyright privileges throughout the British Empire, without that policy being adopted on the part of the United States, but when, on the contrary, the United States emphatically refused to adopt it. After that arrangement, it is difficult to understand what reason could be suggested to Congress for abrogating a condition (printing in that country) which protects the labour of the United States, to the manifest disadvantage of British labour of the same kind, and yet results in no denial to United

States citizens of the privileges which British subjects have. Surely it would not now be urged that Canada should any longer have the granting of her request postponed for the imaginary reason that some better arrangement may be made with the United States, of which there is not the slightest probability, and which would be of very doubtful value, even if obtained, as far as Canada is concerned.

54. A further objection alleged against the Canadian Act of 1889 is that "it would impair the right in Canada, of British authors," (meaning, of course, British copyright holders), "by whom the Canadian market is principally supplied."

55. This is a statement of the most doubtful accuracy. The Canadian Act would secure to British copyright holders revenues which would be a hundred-fold that now received from Canada, by reason of the collection of the stamp duties on Canadian reprints being substituted for customs collections on foreign reprints. If the British author would sell his copyright in Canada (which he rarely does now, because the purchaser in the United States demands of him that Canada shall be thrown into the bargain) he would find the product of his copyright greatly enhanced under the Act of 1889. It is doubtful, at the present time, whether the United States purchaser pays anything additional to the British author in consideration of the market of Canada, but, certainly, if the market of Canada were purchased by those understanding the trade of this country, the price which the author would receive for the Canadian market would be greater than it now is. If the holder of copyright did not sell the Canadian market he would receive the price from the United States purchaser plus the additional revenue collected under the license in Canada.

56. One widely-read author is known to have sold his right to a great publishing house in the United States. He refused to sell, at that time, the Canadian market to a Canadian purchaser. That condition was exacted of him by the publishing house in the United States which became his purchaser. Subsequently an arrangement was made with the author by a Canadian publisher, by which the latter secured the Canadian market by paying a larger sum for the Canadian right than the United States publishing house had paid for the same privilege in the United States and Canada together.

57. In any event Her Majesty's Government should be asked to consider whether the rights of British copyright holders, created under the Statute of 1842, are to continue to be set up as a bar to the rights of the Canadian Parliament and Canadian people, after so repeated a recognition of the fact that the creation of these privileges had become a grievance in Canada, and so long after promises and assurances had been given that that grievance would be redressed. If so it is exceedingly difficult to understand many of the expressions which have been continually made use of in Imperial Despatches for the last fifty years.

58. The report of the Committee goes on to state an opinion that "It is doubtful whether the Canadian reader has, under existing circumstances, any ground of complaint at all." That opinion the undersigned cannot concur in. Even when foreign reprints were abundantly produced, that is to say before the passage of the American copyright law, the Canadian reader was obliged to pay a tax for the benefit of the copyright holder which was collected by the customs officers in Canada. That tax was not very burdensome, because the reprints were published at a very low price and the duty was an *ad valorem* impost on the wholesale importation. The Canadian reader is not now in so good a position, because of the generosity of Her Majesty's Government towards the United States citizens which has given the citizens of that country a monopoly of the Canadian market not only for reprints of the British works which they continually acquire the copyright of, and which the Canadian publisher cannot acquire, but for all United States publications as well. The result of this is that new books have doubled in price in Canada within the last three or four years, and there is a prospect of further advance.

59. The report of the Committee goes on to say that "It is the British author and publisher who have a right to complain of the Foreign Reprints Act." On behalf of Canada it is denied that the British author and publisher have reason to complain because they are not permitted, besides locking the Canadian press, to banish British literature from Canada by seizing it in the customs houses, unless it shall come in the form of a British edition which could not be sold in Canada, save in very small numbers. The British author would have no right to complain of the Canadian Act of 1889, for, as has been shown, his position would be materially improved thereby.

60. The Committee go on to state that the reality of the grievances of the British author and publisher "was admitted by the Copyright Commission of 1876." The reality of those grievances is not admitted in Canada, but if such grievances ever really existed they are less now, because the effect of the legislation of the United States is to curtail

very largely the publication of foreign reprints, and they would be less still under the Canadian Act of 1889, because the trade in foreign reprints would be almost, if not quite, abolished.

61. It is difficult to understand why this suggestion is made, with regard to the Foreign Reprints Act, unless it were intended as a suggestion in favour of greater restrictions as to copyright than those existing at present, by the repeal of the Foreign Reprints Act. If that were the object of the suggestion, it hardly calls for any remark, in view of the past history of this subject, and in view of the fact that the collection of customs duties in favour of British copyright holders is a matter of increasing inconvenience in Canada and must eventually be abandoned, for reasons which it is not now necessary to state at large.

62. Another suggestion in the report under review is that "Deprivation of Canadian copyright might be seriously detrimental to the interests of Australian authors, say, for instance, of a Melbourne novelist whose works are likely to obtain extensive circulation in Canada." The case is not a very probable one. In the words of the Committee, applied to Canadian authors, it may be, "treated as belonging rather to the future than to the present." It seems sufficient to say, for the present, that Australians are, and doubtless always will be, placed on the same footing as other British subjects in all Canadian legislation, but that, if it should become, at any time, a question what rights should be enjoyed in Canada by any class of Australians, it surely cannot be contended that that question should be decided by the Parliament of the United Kingdom or by the Parliament of Australia, rather than by the Parliament of Canada.

63. The report under review devotes a paragraph to the interests of the Canadian author of whom it is said that under the Canadian Act of 1889, he would be deprived of copyright in every country outside of Canada. This would be by no means the case unless Imperial legislation were adopted to withdraw from Canadians not only the rights within the Empire, conceded to all British subjects, but the rights conceded to the people of most foreign countries, under the Berne Convention, which seems a suggestion quite unworthy of a place in this controversy.

64. The Canadian Parliament has not overlooked the interests of its authors or of any other class. When it speaks, as it has done on the subject, it speaks after full consideration of all the interests involved, and which it is well able to weigh.

65. The report under review proceeds to discuss at some length the question whether indeed the Canadian publishers have any grievance, and whether such grievance has been enhanced by the Berne Convention. If the Committee had obtained information upon this subject in Canada, where alone the facts are to be found, they could hardly have arrived at the conclusion which they state. The Canadian publisher has never had an opportunity of competing with his rivals in the United States, except in rare cases, as where a Canadian has brought copyright from United States publishers to whom the markets of Canada had been sold by the British copyright holder, and sometimes directly from a British copyright holder.

66. The effects of the Berne Convention have already been discussed, but the Committee could have found abundant evidence in Canada that the grievance of the Canadian publisher has been greatly augmented by every change in the copyright law of the United Kingdom, in recent years. His condition has been made distinctly worse by the Berne Convention and the grievance has been greatly enhanced by the concessions made by Her Majesty's Government to the United States, under the "arrangement" for which this Government was for many years asked to wait as a measure which would give the relief desired.

67. The report suggests, as has already been remarked, that "the real grievance of the Canadian publishers is that they are undersold by competitors who have the advantage of larger capital and a larger market and in whose favour protective legislation is enforced, against their weaker rivals." In considering this view of the case, too much stress ought not to be laid on the weakness of the Canadian publisher. The fact is that he has not been allowed to compete with his United States rival.

68. In exceptional cases, where a Canadian publisher has secured a right to his own market, it has been found that books have been produced in Canada at lower rates than in the United States. Numerous instances can be cited of books which were printed in the United States and reprinted in Canada to prove that these books have been sold in Canada at a price eighty per cent. below the price of the United States editions. The real grievance of the Canadian publisher, the Canadian type-setter and every other Canadian workman engaged in the production of books, as already stated, is that he is not allowed to compete with his United States rivals, by reason of his being a British

subject and, therefore, bound by the copyright legislation of the United Kingdom. It is true, as stated by the Committee, that the United States competitor has a larger market, because the United States publisher of books controls the market of the United States *plus* the market of Canada; while the Canadian producer has not even the market of Canada, except in the rare cases before referred to, and then he can supply only Canada, being debarred from the United States markets because his book is not printed in the United States.

69. It is also true that the Canadian publisher is handicapped by the protective legislation of the United States, in favour of the publishing interest of that country, and especially by the obligation on the applicant for copyright to print from type set in the United States, while the citizens of the country imposing that condition are allowed all the advantages of British subjects, and Canadians are denied the right to impose any such conditions as to Canada.

70. The report under review again makes this statement with regard to the Canadian publishing interest, evidently from erroneous information: "What the Canadian publisher and printer want is to keep out books, cheap or otherwise, not printed or published at their own establishments." As a matter of fact, what the Canadian publisher and printer desire to do is to supply the cheap books which the Canadian reader desires. Under the Canadian Act of 1889, a publisher could have no monopoly in republishing copyright books, because the Government would have the right to grant any number of licenses to reprint. Furthermore, the British publisher would still have the opportunity to send his books from Great Britain to Canada.

71. It must, therefore, be repeated that it is desired that the Canadian publisher, be permitted to sell in his own market; a market which, under present conditions, is reserved for the benefit of persons outside of Canada.

72. The Committee has suggested that "The simplest and most effectual mode of lessening the price of Canadian books would be to remove or reduce the Canadian import duty of fifteen per cent. on books."

73. The undersigned cannot agree with this view. The experience of the past has proved that the simplest and most effectual mode of lowering the price of Canadian books would be to have the Canadian press unlocked and the Canadian publisher and printer permitted to produce books.

74. The removal of the Canadian import duty would undoubtedly be an additional boon to the publishers and printers of the United States, but the undersigned ventures to think that the interests of that class have been already sufficiently cared for and do not require additional advantages from the Government of Canada.

75. The argument in favour of reducing the Canadian import duty in order to cheapen books is somewhat in contrast with another statement in the report under review, viz., the declaration that the royalty to copyright holders proposed by the Act of 1889 should be greatly increased and that more stringent methods of taxation should be adopted in order to secure the collection of the tax.

76. In paragraph 56, the Committee suggest that "the amount of royalty might perhaps be fixed at fifteen per cent. so as to correspond with the amount of the existing import duty on books and that the royalty might be levied by means of a stamp on each copy, so that if unstamped books were offered for sale they should be liable to seizure."

77. It seems to be implied from this that the import duty and the tax in favour of the copyright holder should be equal and it would then follow that a reduction of the import duty, as advised by the Committee, would at any time be accompanied by a reduction of the copyright holder's royalty.

78. The intimation, contained in paragraph 57 of the Committee's report, that such Canadian legislation as is required should be confined to books, is not acquiesced in by the undersigned. It is true, as stated in the report of the Committee, that copyright in musical, dramatic, and artistic works raises a very difficult question, but the right of the Canadian Parliament to receive the power of self-government with respect to those matters is surely as plain as it is in relation to books. The demand to have that right conceded is surely not too difficult to be understood by statesmen of a country which has granted that right freely, in relation to all other commodities.

79. The Committee in their report under review, have stated various objections to the details of the Canadian Act of 1889. These objections, in the view of the undersigned, are not maintainable. They say: "That twelve months might be allowed as a reasonable time" (to the copyright holder) "for cheap reproduction, and during that time the Imperial copyright should remain unimpaired." In reply to this it must be said that in less than twelve months the Canadian market would be flooded with American reprints and

the sale of the book would be over. The report then says that "the royalty might perhaps be 15 per cent. so as to correspond with the amount of the existing import duty on books." In the view of the undersigned, the Canadian proposition of 10 per cent. royalty on each copy would yield much larger returns than the one proposed, which would be 15 per cent. *ad valorem* on the quantity imported, at wholesale rates. Such is obviously the meaning of the proposition of the Committee as is seen by reference to the import duty which is an *ad valorem* duty on the wholesale rates.

80. The 10 per cent. royalty proposed by the Canadian Parliament would be imposed on the retail price of each book and would take the place of the $12\frac{1}{2}$ per cent. now collected by customs on wholesale rates, *ad valorem*, for the benefit of the copyright holder. An example may be taken to illustrate. A book issued last year cost, when imported from the United States, \$22 for 100 copies. The duty at $12\frac{1}{2}$ per cent. was \$2.75. The retail price of the book being 50 cents, the royalty therefrom at 10 per cent. (as it would be if the book were republished in Canada), would be \$5. Thus securing a gain to the copyright holder of nearly 100 per cent.

81. The undersigned, however, does not deem this a proper place to discuss the details of the Canadian Act; as he does not deem it the proper place to discuss the legal rights of the Canadian Parliament to pass that Act. What the Canadian Parliament and Government desire is that the right of the Parliament of Canada to legislate on this subject shall be relieved of all doubt; and there would still be left to Her Majesty's Government the same constitutional right which it has with regard to all legislation in Canada, and which, it is submitted, is sufficient to secure every reasonable requirement for the security of Imperial interests.

82. The undersigned stated in his letter to Lord Knutsford in 1890, that a most respectful consideration would be given to any suggestions for the improvement of the Canadian Act of 1889 which his Lordship might think proper to make, after hearing all that might be advanced on both sides. It would seem only reasonable, at the present time, however, that after all that has taken place some step in advance should be taken towards removing Canadian grievances beyond the mere routine of inquiries, reports, and suggestions. It was hoped that that stage had been reached when the report of the Royal Commission of 1876 was made especially in view of the fact that the report of that Commission was so favourable to Canadian claims.

Respectfully submitted,

JNO. S. D. THOMPSON,

Minister of Justice.

No. 44.

COLONIAL OFFICE to FOREIGN OFFICE, BOARD OF TRADE, and
TREASURY.

[Answered by Nos. 48 and 50.]

SIR, Downing Street, April 19, 1894.
I AM directed by the Marquess of Ripon to transmit to you, to be laid before the
Earl of Kimberley,
Board of Trade,

a copy of an extract from the Tariff Bill now before
Lords Commissioners of the Treasury,
the Canadian Parliament, dealing with the duty on imported foreign reprints of British
copyright books, and also an extract from the budget speech of the Minister of Finance
respecting the provision in question.

Lord Ripon would be glad to be favoured with any observations which
Lord Kimberley,
the Board of Trade, may have to offer on this proposal.
their Lordships,

the Board of Trade and the Treasury.

A similar letter has been addressed to the Foreign Office and the Treasury.

the Foreign Office and the Board of Trade.

I am, &c.

JOHN BRAMSTON.

Enclosure 1 in No. 44.

EXTRACT from HOUSE of COMMONS DEBATES, dated 27th March 1894.

BOOKS and PAPERS.

* * * * *

British copyright works, reprints of, 6 cents per pound and in addition thereto $12\frac{1}{2}$ per cent. *ad valorem* until March 27th, 1895, and thereafter 6 cents per pound.

Enclosure 2 in No. 44.

EXTRACTS from HOUSE of COMMONS DEBATES, dated March 27th, 1894.

* * * * *

Mr. Foster.—The duty will be 6 cents per pound for books, instead of an *ad valorem* duty of 15 per cent. British copyright, reprints of, will have in addition to 6 cents per pound, a duty of $12\frac{1}{2}$ per cent. which is the amount we collect in payment of the copyright and transmit.

Mr. Edgar.—Is this *ad valorem*?

Mr. Foster.—Yes. But there is a clause attached, which is as follows: This duty shall continue until 27th March 1895, and thereafter the rate shall be 6 cents per pound, it being the intention of the Government not to continue to collect this amount, but to try and have the matter adjusted by that time in a better and more satisfactory way.

No. 45.

THE EARL OF ABERDEEN to the MARQUESS OF RIPON.
(Received April 19, 1894.)

Government House, Ottawa,
March 30, 1894.

MY LORD,

I HAVE the honour to forward herewith, for your Lordship's information, copy of an approved Minute of the Privy Council intimating that under the revised Canadian Customs Tariff, provision will no longer be made for the collection of the duty of $12\frac{1}{2}$ per cent. imposed on foreign reprints of British copyright works for the benefit of copyright holders.

Your Lordship will observe that the reason advanced for the change in the existing arrangement is the expectation entertained by the Government of changes in the Imperial copyright laws in so far as they apply to Canada.

I may inform your Lordship that the tariff which was submitted to the House on the 27th instant provides that the present arrangement shall terminate on the 27th March 1895.

I have, &c.
ABERDEEN.

Enclosure in No. 45.

CERTIFIED COPY of a REPORT OF A COMMITTEE of the HONOURABLE the PRIVY COUNCIL, approved by his Excellency the GOVERNOR-GENERAL IN COUNCIL, on the 28th March 1894.

On a report dated 24th March 1894, from the Minister of Trade and Commerce, upon the provisions of the Canadian tariff about to be introduced in the House of Commons of Canada affecting the subject of copyright, stating that hitherto, at great expense and trouble, a duty of $12\frac{1}{2}$ per cent. has been collected on foreign reprints of British copyright works, for the benefit of copyright holders, over and above the duty payable for the benefit of the revenue of Canada, and calling attention to the fact that, in the tariff now proposed, this collection of $12\frac{1}{2}$ per cent. will cease to be made after the expiration of the next session of Parliament, in view of the changes which are expected in the Imperial copyright laws in so far as they apply to Canada.

The Committee, on the recommendation of the Minister of Trade and Commerce, advise that your Excellency be moved to forward a certified copy hereof to the Right Honourable the Secretary of State for the Colonies.

JOHN J. MCGEE,
Clerk of the Privy Council,

No. 46.

COPYRIGHT ASSOCIATION to COLONIAL OFFICE.
(Received April 20, 1894.)

[Answered by No. 51.]

MY LORD MARQUESS,

Aldine House, Belvedere, Kent,
April 19, 1894.

As Honorary Secretary to the Copyright Association I beg most respectfully to draw your Lordship's attention to the legislation on copyright now taking place in the Dominion of Canada.

I am desired to request your Lordship to be courteous enough to permit and to direct that a copy of the new Canadian Bill on the subject be sent to me for the information and consideration of the Copyright Association.

I am further desired to ask your Lordship's attention to the fact that copyright is one of the subjects reserved, as far as Imperial interests are concerned, by the North American Dominion Act of 1867 for the consideration of the Imperial Government and Parliament, and humbly to request your Lordship, if such a course meets with your approval, to allow the Governor-General of the Dominion of Canada to be informed that your Lordship desires this Bill to be reserved for the Royal Assent and not classed as an unreserved Bill or to obtain his sanction without your own due consideration.

I venture to emphasize this request by informing your Lordship that when Canada last legislated on this subject the Bill was inadvertently treated as an unreserved Bill and would have received the Governor-General's sanction if I had not had the opportunity of seeing the late Sir John A. Macdonald at Ottawa and eliciting a promise from him that the Bill should not become current without the sanction of the Home authorities.

When that sanction was sought it was discovered that the Bill was "ultra vires," and so inimical to the authors' interests throughout the rest of the Empire that that sanction could not be given.

I am, &c.

FREDERIC R. DALDY,
Hon. Sec. Copyright Association.

No. 47.

COLONIAL OFFICE to BOARD OF TRADE, FOREIGN OFFICE, and
TREASURY.

SIR,

Downing Street, April 23, 1894.

I AM directed by the Secretary of State for the Colonies to transmit to you, to the Board of Trade, be laid before the Earl of Kimberley, with reference to the letter the Lords Commissioners of the Treasury, from this department of the 19th instant,* copy of a Despatch† on the subject of the revised Canadian Customs Tariff as affecting the collection of the duty on foreign reprints of British copyright works.

A similar reference has been made to the Foreign Office and Treasury,
the Board of Trade and Treasury,
the Board of Trade and Foreign Office.

I am, &c.

R. H. MEADE.

* No. 44.

† No. 45.

No. 48.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received April 26, 1894.)

[Answered by No. 55.]

SIR,

Foreign Office, April 25, 1894.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 19th instant* in which you invite His Lordship's observations upon an extract from the Canadian Tariff Bill dealing with the duty on imported foreign reprints.

In reply, I am to observe that this particular point forms part of the more general question raised by the demand of the Canadian Government to have uncontrolled power of legislating in regard to copyright.

The voluminous papers enclosed in your letter of the 20th instant† are now being studied in this Department with the view to enable Lord Kimberley to form a judgment in regard to them, but, in the meanwhile, I am to suggest that such steps as the Marquess of Ripon may consider right and proper should be taken to prevent the passing in Canada of any legislative provision which would have the effect of prejudicing the decision of the general question or of forcing the action of the Imperial authorities in regard to it.

I am, &c.

E. GREY.

No. 49.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received April 30, 1894.)

[Answered by No. 58.]

SIR,

Foreign Office, April 28, 1894.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 20th instant‡ relative to the question of Canadian Copyright.

The issues involved being of a highly technical nature, his Lordship would suggest, for the Marquess of Ripon's consideration, that the matter should again be referred to the Departmental Committee which recently met to consider the Canadian Act of 1889, and upon whose report the report of the Canadian Government is founded.

In the event of this suggestion being favourably entertained, this Department would be represented, as before, by Sir Henry Bergne.

I am, &c.

FRANCIS BERTIE.

No. 50.

TREASURY to COLONIAL OFFICE.

(Received May 1, 1894.)

SIR,

Treasury Chambers, April 30, 1894.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letters of the 19th and 23rd instant,‡ relating to the proposed discontinuance of the collection of duty on the introduction into Canada of reprints of British copyright works and to state that their Lordships presume that it is understood that the effect of the revised Canadian Customs Tariff will be that the Copyright Acts will come into force prohibiting the introduction of reprints of British copyright works into the Colony on the 27th March 1895 in the absence of any change in the Imperial copyright laws in so far as they apply to Canada, of which proposed change my Lords have no information before them.

I have, &c.

FRANCIS MOWATT.

* No. 44.

† Not printed.

‡ Nos. 44 and 47.

No. 51.

COLONIAL OFFICE to COPYRIGHT ASSOCIATION (F. R. DALDY, Esq.).
[Answered by No. 56.]

SIR, Downing Street, May 1, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 19th ultimo,* calling attention to the legislation on copyright now taking place in the Dominion of Canada, and requesting to be furnished with a copy of the Canadian Bill on the subject.

In reply, I am to acquaint you that there is no separate Bill on the subject of Copyright now before the Canadian Parliament but the clause of which a copy is enclosed† occurs in the Tariff Bill now before the Dominion House of Commons.

I am also to enclose an extract,‡ from the speech of the Finance Minister introducing the budget in which he refers to the clause in question.

The subject is now engaging the attention of Her Majesty's Government.

I am, &c.

JOHN BRAMSTON.

No. 52.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

TELEGRAPHIC.

[Not answered.]

May 1, 1894.—Revised tariff; have your Ministers considered what will be effect of second section of Colonial Laws Validity Act, 1865, upon clause admitting foreign reprints after March 27 next?

They, of course, recognise that Queen may be advised to revoke Order in Council approving duty on if that clause be passed.

No. 53.

COLONIAL OFFICE to TREASURY.

SIR, Downing Street, May 3, 1894.

WITH reference to your letter of the 30th ultimo,§ respecting the proposed discontinuance of the collection of duty on the introduction into Canada of reprints of British copyright works, I am directed by the Marquess of Ripon to transmit to you, for the information of the Lords Commissioners of the Treasury, a copy of a telegram|| which has been sent to the Governor-General of Canada on the subject.

I am, &c.

JOHN BRAMSTON.

No. 54.

COLONIAL OFFICE to BOARD OF TRADE.

SIR, Downing Street, May 3, 1894.

WITH reference to the letter from this Department of the 19th ultimo,¶ respecting the clause in the new Canadian Tariff Bill dealing with the duty on foreign reprints of British copyright works, I am directed by the Marquess of Ripon to transmit to you, for the information of the Board of Trade, copies of correspondence** with the Foreign Office on the subject.

I am, &c.

JOHN BRAMSTON.

* No. 46.
|| No. 52.

† Enclosure 1 in No. 44.
¶ No. 44.

‡ Enclosure 2 in No. 44.
§ No. 50.
** Nos. 48 and 55.

No. 55.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR,

Downing Street, May 3, 1894.

IN reply to your letter of the 25th ultimo,* respecting the clause in the Canadian Tariff Bill dealing with imported foreign reprints, I am directed by the Marquess of Ripon to transmit to you, for the information of the Earl of Kimberley, a copy of a telegram† which has been sent to the Governor-General of Canada on the subject.

I am to state with reference to the last paragraph of your letter under reference, that, as Lord Kimberly is aware, the Secretary of State has no power to prevent the Parliament of the Dominion from passing whatever laws it thinks advisable, and that all that he can do is, in extreme cases, to advise Her Majesty to disallow the law.

As regards the particular clause in question, I am to observe, that as the Order in Council issued under the Foreign Reprints Act only suspends the operation of the Copyright Act of 1842 in Canada so long as the Canadian Act authorising the duty of $12\frac{1}{2}$ per cent. remains in force, the Dominion Government cannot justly complain if Her Majesty should revoke the Order in Council when the Canadian Tariff Act comes into force, or when the duty ceases in March 1895. The effect of revoking that order will be that no foreign reprints can be lawfully imported into Canada for sale or hire, but this would not affect American prints of books the copyright of which for the United States and Canada has been purchased by an American publisher.

In these circumstances Lord Ripon would not be prepared to advise Her Majesty to disallow the Canadian Tariff Act on account of this clause, as it would seem that the provision admitting foreign reprints would, by virtue of section 2 of the Colonial Laws Validity Act, 1865, appear to be inoperative on the ground of its being repugnant to the Copyright Act of 1842.

I am, &c.

JOHN BRAMSTON.

No. 56.

COPYRIGHT ASSOCIATION to COLONIAL OFFICE.

(Received May 4, 1894.)

[Answered by No. 60.]

Aldine House, Belvedere, Kent,

May 3, 1894.

DEAR SIR,

I BEG to thank you for your letter of the 1st instant,‡ and its enclosures. You will see by my letter in to-day's "Times" that further communications ought to have reached you from Canada. When they arrive will you kindly let me know their exact purport?

The Copyright Association and the Chamber of Commerce are arranging deputations to the Marquess of Ripon. Will you kindly tell his Lordship this, and ask him not to reply to Canada till he has seen us? It really is important, for the United States must withdraw her copyright arrangement, if our copyright does not run in Canada, and then we shall have two fields for piracy instead of one, and also the disgrace of giving the United States an assurance we are unable to sustain.

Believe me, &c.

F. R. DALDY.

No. 57.

COLONIAL OFFICE to BOARD OF TRADE.

SIR,

Downing Street, May 4, 1894.

WITH reference to the letter from this Department of the 20th ultimo,§ respecting the Canadian Copyright question, I am directed by the Marquess of Ripon to transmit to you, to be laid before the Board of Trade, copies of correspondence|| with the Foreign Office on the subject.

* No. 48.

† No. 52.

‡ No. 51.

§ Not printed.

|| Nos. 49 and 58.

His Lordship would be glad if the Board would again summon the Committee which considered the question of the Canadian Copyright Act of 1889, with a view to considering the present position of the question.

I am, &c.

JOHN BRAMSTON.

No. 58.

COLONIAL OFFICE to FOREIGN OFFICE.

(Extract.)

SIR, Downing Street, May 4, 1894.

IN reply to your letter of the 28th ultimo,* respecting the question of Canadian copyright, I am directed by the Marquess of Ripon to acquaint you, for the information of the Earl of Kimberley, that he concurs in the suggestion that the matter should again be referred to the Departmental Committee which was appointed to consider the Canadian Act of 1889.

Mr. Bramston will again represent this Department.

I am to add that his Lordship is communicating with the Board of Trade as to summoning the Committee.

No. 59.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received May 8, 1894.)

[Answered by No. 62.]

Incorporated Society of Authors,
4, Portugal Street, Lincoln's Inn Fields, W.C.,

SIR, May 7, 1894.

I AM instructed by Sir Frederick Pollock, Chairman of the Committee of the Incorporated Society of Authors, to ask whether you could give the Society any information with regard to the Bill on Canadian Copyright which, I understand, is awaiting Her Majesty's assent. I should be very much indebted if it would be possible for you to forward me a copy of the Bill to lay before our Committee, as of course the question is one of vital importance to all English authors. It is now almost a year ago that we had the matter before the Committee and on that occasion, when the Society communicated with you,† you did us the honour to state that you would do everything in your power to assist us on behalf of British authors.

I am, &c.

G. HERBERT THRING.

No. 60.

COLONIAL OFFICE to COPYRIGHT ASSOCIATION (F. R. DALDY Esq.).

[Answered by No. 64.]

SIR, Downing Street, May 12, 1894.

IN reply to your letter of the 3rd instant,‡ on the subject of copyright in Canada, I am directed by the Marquess of Ripon to acquaint you that the communication from the Dominion Government on this question to which he understands you to refer have been received, and are being referred to the Departmental Committee which was appointed to consider the Canadian Copyright Act of 1889.

In these circumstances his Lordship does not think that there would be any advantage in his receiving a deputation on the question until it has been considered by the Committee, and he desires me to add that if you will be good enough to put into writing

* No. 49.

† No. 40.

‡ No. 56.

any observations which you think would be of use to the Committee in dealing with the question, he will be glad to receive them, and to refer them to the Committee.

I am, &c.

JOHN BRAMSTON.

No. 61.

COLONIAL OFFICE to FOREIGN OFFICE, BOARD OF TRADE,
and TREASURY.

SIR,

Downing Street, May 16, 1894.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the Earl of Kimberley,
the information of the Board of Trade, with reference to the letter
the Lords Commissioners of the Treasury
from this Department of the 3rd instant,* copy of the paper noted below† on the subject
of the discontinuance of the collection of duty on the introduction into Canada of
reprints of British copyright works.

I am, &c.

R. H. MEADE.

Enclosure in No. 61.

EXTRACT. FROM HOUSE OF COMMONS' DEBATE, April 24, 1894.

*Mr. Foster.** * * * British Copyright works, reprints of, 6 cents per pound, and in addition thereto $12\frac{1}{2}$ per cent. *ad valorem* until March 27th, 1895, and thereafter 6 cents per pound.

Mr. Edgar.—I would like to ask the Minister of Justice if he has communicated to the English Government yet the fact that he proposes after next year to take off the author's royalty?

Sir John Thompson.—Yes; the communication was made fully a month ago.

Mr. Edgar.—And is there any reply?

Sir John Thompson.—No, not yet.

Mr. Foster.—I wish to amend that item. Instead of having a fixed date, I wish to substitute the words "until the end of the next session of Parliament."

No. 62.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

[Answered by No. 63.]

SIR,

Downing Street, May 18, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 7th instant,‡ respecting the Canadian Copyright question.

Lord Ripon desires me to acquaint you that the Society is in error in supposing that there is any new Bill on copyright in Canada now before Her Majesty's Government. His Lordship presumes your letter refers to a clause in the Tariff Bill of the Canadian Parliament which is intended to remove the duty on foreign reprints of British copyright works.

I am to enclose a copy of the clause§ in question which it is understood is not intended to come into operation until the end of the next session of the Dominion Parliament.

* Nos. 53, 54, and 55.

† Extract from Debates of House of Commons of Canada, 24th April 1894, as to date of discontinuance of duty.

‡ No 59.

§ Enclosure 1 in No. 44.

In the meantime, Lord Ripon has invited the attention of the Government of Canada to the effect which the second section of the Colonial Laws Validity Act, 1865, may have upon this clause in the Tariff Bill.

I am to add that a communication on the general question of copyright in Canada has been received and will be sent to the Society, when printed, for any remarks they may have to offer.

In conclusion I am to observe that the letter from this Office of the 17th of February 1893,* to which it is supposed you refer in the concluding sentence of your letter under acknowledgement merely stated that the desire of the Society to be informed of the answer of the Dominion Government would be borne in mind.

I am, &c.

JOHN BRAMSTON.

No. 63.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.
(Received May 21, 1894.)

4, Portugal Street, Lincoln's Inn Fields, W.C.,

MY LORD, May 19, 1894.

I BEG to thank your Lordship for your communication of the 18th May† forwarded to me by your Lordship's instructions. The information contained in it will be of the utmost importance to the Society and will be laid before the Committee in due course.

I trust that the phrase contained in my last letter was not misunderstood, and can only tender your Lordship my sincere apologies for any mis-statement that I have made.

I am, &c.

G. HERBERT THRING.

No. 64.

COPYRIGHT ASSOCIATION to COLONIAL OFFICE.
(Received May 24, 1894)

[Answered by No. 65.]

COPYRIGHT IN CANADA.

Aldine House, Belvedere,
May 22, 1894.

SIR,

I AM desired by the Copyright Association to request you to thank the Marquess of Ripon for the letter of the 12th instant‡ on this subject.

In reply, I am to inform you that the Association will be most happy to consider the subject carefully, with a view to laying their opinions before the Committee to whom the question has been referred; but they feel unable to do this properly without seeing the communications from the Dominion Government which the Committee are instructed to report upon.

I am therefore instructed to ask you to obtain permission from the Marquess of Ripon to send me a copy of them. Perhaps his Lordship may be induced to bear in mind that the Association represents to a large extent the property which they fear the Canadian requests may jeopardize and the value of which they may seriously injure.

With reference to an interview with his Lordship the Association suspend their judgment till they become better informed as to its immediate necessity.

I am, &c.

F. R. DALDY,
Hon. Sec. of the Copyright Association.

* No. 41.

† No. 62.

‡ No. 60.

No. 65.

COLONIAL OFFICE to COPYRIGHT ASSOCIATION (F. R. DALDY, Esq.).

SIR, Downing Street, May 30, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 22nd instant,* and to enclose herewith, for the information of the Copyright Association, a copy of a Memorandum† by Sir John Thompson, the Premier of the Government of Canada, on the subject of Copyright in the Dominion.

I am, &c.

EDWARD WINGFIELD.

No. 66.

TREASURY to COLONIAL OFFICE.

(Received June 2, 1894.)

SIR,

Treasury Chambers, June 1, 1894.

WITH reference to your letters of the 3rd and 16th ultimo,‡ respecting the discontinuance of the collection of duty on the introduction into Canada of reprints of British copyright works, I am directed by the Lords Commissioners of Her Majesty's Treasury to request that you will inform the Secretary of State that their Lordships are waiting for a reply from the Board of Trade referring to the subject of your letter of the 23rd April last.§

I am also to request that you will call the attention of the Secretary of State to the Colonial Office letter of the 23rd November 1891,|| in which it is stated that a correspondence was in progress with Canada relative to the request of the Dominion Government for the introduction of Imperial legislation to give them extended powers to deal with copyright. My Lords presume that this may probably bear on the subject of Lord Aberdeen's Despatch of the 30th March, transmitted in your letter of the 23rd April last, above-mentioned.

I am, &c.

FRANCIS MOWATT.

No. 67.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

[Answered by No. 69.]

SIR,

Downing Street, June 9, 1894.

WITH reference to your letter of the 19th of May,¶ I am directed by the Marquess of Ripon to transmit to you, to be laid before the Society of Authors, a copy of a Memorandum† by Sir John Thompson, Prime Minister of Canada, dealing with the Report of the Departmental Committee on the subject of copyright in Canada.

Lord Ripon would be glad to be furnished as soon as possible with any observations which your Society may wish to offer on these papers.

I have, &c.

JOHN BRAMSTON.

No. 68.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received June 16, 1894.)

[Answered privately—permission accorded.]

4, Portugal Street, Lincoln's Inn Fields, W.C.,

June 14, 1894.

DEAR SIR,

I SHOULD be exceedingly obliged if you would kindly ask the Marquess of Ripon whether he would give his consent to the Society of Authors placing the papers and

* No. 64.

§ No. 47.

† Enclosure in No. 43.

|| Not printed.

‡ Nos. 53 and 61.

¶ No. 63.

communications that have been addressed to them before a Copyright Committee which has been formed by all the representative classes of copyright holders in the United Kingdom to watch the question of Canadian Copyright. As his Lordship's papers were sent to the Society, and to the Society alone, I do not feel entitled to take any steps without referring to his Lordship in the matter.

An early answer will oblige.

I am, &c.
G. HERBERT THRING.

No. 69.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.
(Received June 20, 1894.)

[Answered by No. 70.]

4, Portugal Street, Lincoln's Inn Fields, W.C.,

DEAR SIR, June 19, 1894.

WITH reference to your letter to the Society of Authors of the 9th June,* containing a copy of the report of Sir J. Thompson dealing with the report of the Departmental Committee, I beg to inform you that the Society have placed all the papers before counsel to advise the Society on the action to be taken. Herewith I forward you the copy of counsel's opinion which has been taken by the Society, in accordance with the instructions of the Committee. The Committee instruct me to say that until and pending the opinion of the Joint Committee which has been formed and which will meet on the 25th of this month they do not think they can add anything further to the opinion put forward by counsel on the matter.

I beg to thank his Lordship the Marquess of Ripon and yourself for the kindness you have shown the Society in the matter in forwarding them papers.

I am, &c.
G. HERBERT THRING.

Enclosure in No. 69.

COUNSEL'S OPINION.

The new documents before me consist of (1) a copy of a memorandum by Sir John Thompson dealing with the report of the Departmental Committee on Canadian Copyright; and (2) a clause in the Canadian Tariff Bill which proposes, after 27th March 1895, to remove the *ad valorem* duty payable on foreign reprints payable under the Canadian Act of 1868.

Sir John Thompson's memorandum does not deal with the details of the Canadian Act of 1889, but is an attempt to answer some of the objections to the principle of that Bill set forth in the Departmental Committee's Report, and to show that the Canadian Legislature ought to be allowed to repeal the Copyright Act of 1842 so far as regards Canada, and to deprive the British author of his rights in order to foster the Canadian printing and publishing interests.

It does not appear to me that I can usefully follow all the arguments contained in the memorandum on the above question or that it is within the scope of my instructions to do so. They are all based on the fallacy that the Canadian publishers and printers have some inherent right to have the profit of publishing and printing the works of British authors, and that if the latter do not find it necessary or convenient to publish or print in Canada the Canadian Legislature has a right to make them do so, and that to deny them this right is to deprive them of the benefit of self-government. Such arguments (even when supported apparently by a threat of separation in case they are not yielded to (see p. 12, bottom)) do not appear to require to be answered at length. One argument which does perhaps require special notice is that drawn from the example of the United States. With regard to this it is to be observed that in the case of the United States the British author had, under the circumstances, to accept

such terms as were offered, but that such acceptance did not in any way involve a recognition of the justice of those terms, and it would be most unfortunate if this exceptional case were to be drawn into a precedent. If it were it might become necessary for a work to be reprinted and published separately in every British Colony. The Society will no doubt itself consider the memorandum and would have no difficulty in drawing up a full reply if thought advisable, but I cannot see that the arguments contained in it were such as to require a detailed reply. All that it seems to me to be necessary for the Society to do at present is to submit to the Home Government that Sir John Thompson's memorandum affords no answer whatever to the reasons given in the report of the Departmental Committee against the passing of an Act to confirm the Canadian Act, pointing out that the demand for legislation appears to come solely from the Canadian printer and publisher, and that it would be most unfair that their industries should be fostered and protected at the expense of the rights of authors as established by Imperial Legislation and the Berne Convention. A protest should also be added against the case of the United States being turned into a precedent for Imperial or Colonial Legislation. The result of the system of protection insisted on there is no doubt unfortunate for the Canadian printers and publishers, but that is not, or ought not to be, a reason for extending it to Canada or elsewhere; the endeavour should rather be to induce the United States to abandon its present policy.

There is no sign in the memorandum that Canada would be prepared to accept any such licensing system as that suggested in paragraphs 55 and 56 of the Departmental Report, and it therefore does not seem necessary to deal with it at present. The objections to it would appear to be the difficulty in fixing the amount of the royalty and in securing its collection when fixed, but if it would solve the present difficulty it might be worth acceptance.

If the memorandum is dealt with shortly, as I have suggested, the Society should, of course, intimate that if there are any particular points on which further information is desired or which are thought to require a further answer it would be glad of an opportunity of considering them.

With regard to the proposed repeal of the *ad valorem* duty in foreign reprints it appears that the Colonial Office has already pointed out that such repeal would, or might, be invalid, as repugnant to the order made under the Foreign Reprints Act on the faith of such duty being imposed. The Society should, I think, consider whether there is any objection to that order, so far as it affects Canada, being repealed, if Canadian Government should insist on doing away with the duty. So far as I can see there is none. The only person who would have any reason to complain would be the Canadian reader, for whose especial benefit the Foreign Reprints Act was passed. I ought, perhaps, to point out that it is not at all clear that the repeal of the *ad valorem* duty would be invalid. Under the Foreign Reprints Act the Order in Council only authorises the admission of reprints so long as the Colonial Act affording protection to British authors is in force, from which it would seem that the Colony is at liberty to repeal the protection if it is prepared to give up the benefit of the Order in Council. I think it would be as well for the Society to endeavour to find out what is the object of the Canadian Legislature in repealing a duty they do not appear to have ever collected, except in very few cases, and in thereby depriving Canadian readers of the benefit of an Act supposed to have been passed for their special advantage.

J. ROLT.

4, New Square,
Lincoln's Inn, W.C.
18.6.94.

No. 70.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

SIR,

Downing Street, June 26, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 19th instant* enclosing copy of counsel's opinion on the Canadian Copyright Question.

His Lordship desires me to convey to you his thanks for this communication.

I have, &c.

JOHN BRAMSTON.

No. 71.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received July 4, 1894.)

[Answered by No. 74.]

SIR, Foreign Office, July 3, 1894.

IN view of the statement made at the opening of the Ottawa Conference that the discussions would comprise the question of International and Colonial copyright, the English Copyright Association think it very important that the arguments in favour of maintaining the existing system of Imperial copyright should be fairly placed before the Conference by some competent person, and for this purpose have deputed their secretary, Mr. F. R. Daldy, to visit Ottawa.

Mr. Daldy possesses a thorough knowledge of the question, and Lord Kimberley would be glad, if the Marquess of Ripon sees no objection, that he should be furnished with a letter of introduction to the Earl of Jersey, so as to ensure attention to the arguments he wishes to offer for the consideration of the Conference.

Mr. Daldy will start next Saturday, and it might be well to apprise the Earl of Jersey, by telegraph, of his expected arrival, and the object of his visit, so that the Conference should not come to any conclusions on the subject of copyright until his arguments have been placed before it.

I am, &c.

E. GREY.

No. 72.

THE MARQUESS OF RIPON to the EARL OF JERSEY (at OTTAWA).

(Sent July 4.)

TELEGRAPHIC.

[Answered by No. 73.]

Newspaper reports state that Conference will discuss question of Colonial copyright. Is report correct? Information required by telegraph immediately. In that case Copyright Association propose to send out honorary secretary Saturday. Consider it desirable that he should be heard.

No. 73.

THE EARL OF JERSEY to the MARQUESS OF RIPON.

(Received July 5, 1894.)

TELEGRAPHIC.

Sir John Thompson's memorandum, Copyright, has been communicated to Members of Conference but no discussion on the subject will take place.

No. 74.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, Downing Street, July 5, 1894.

IN reply to your letter of the 3rd instant,* respecting the proposed visit of Mr. F. R. Daldy, Honorary Secretary of the Copyright Association, to Canada, I am directed by the Marquess of Ripon to transmit to you, for the information of the Earl of Kimberley, a copy of a telegram which has been sent to the Earl of Jersey on the subject together with a copy of his reply.†

Lord Ripon will furnish Mr. Daldy with a letter of introduction to Lord Jersey as suggested in your letter.

I am, &c.

EDWARD FAIRFIELD.

* No. 71.

† Nos. 72 and 73.

No. 75.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN and the EARL OF JERSEY (at OTTAWA).

MY LORD, Downing Street, July 5, 1894.

THE bearer of this letter, Mr. F. R. Daldy, is the Honorary Secretary of the English Copyright Association, a body comprising all the principal proprietors of copyright in the United Kingdom, and has been deputed by that body to lay their views on the question of copyright in the Colonies before the members of the Conference at Ottawa.

Mr. Daldy, who was a member of the Royal Commission on Copyright, has devoted much attention to the question, and I have no doubt that [*your Government and] the members of the Conference will give full consideration to the views which he has been deputed to lay before them.

I have pleasure in recommending Mr. Daldy to your good offices.

I am, &c,
RIPON.

No. 76.

BRITISH MUSEUM to COLONIAL OFFICE.
(Received July 20, 1894.)

[Answered by Nos. 78 and 99.]

MY LORD MARQUESS, British Museum, July 19, 1894.

THE Trustees of the British Museum learn that negotiations have some time since been opened by the Canadian Government with your Lordship's Department, with the view of obtaining some concessions in copyright legislation as applicable to Canada; and they would wish to draw your Lordship's attention to the fact that, by the Imperial Copyright Act of 1842, Canadian publications ought to be deposited in the British Museum. The obligation is, however, not observed by the Canadian Government, and the Trustees have, therefore, to purchase books which they should receive gratuitously.

It would seem, then, not unreasonable that, if the Canadian Government obtain any relaxation of copyright regulations in their favour, they should undertake on their part to comply with the law as regards the deposit of books in the British Museum, following the example of the Governments of India, and of the Cape of Good Hope, and of several Crown Colonies.

I am directed to make this statement to your Lordship, and to add that the Trustees will feel greatly obliged to you if you will be pleased to keep the interests of the British Museum in view in the course of the negotiations with the Canadian Government.

I have, &c.

E. MAUNDE THOMPSON.

No. 77.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

[Answered by No. 96.]

MY LORD, Downing Street, August 4, 1894.

I HAVE the honour to transmit to you, to be laid before your Ministers, a copy of a letter from the British Museum,† respecting the supply to it of copies of books first published in Canada.

I need not remind your Ministers of the important advantage secured to Canada by virtue of the Copyright Act of 1886, by which copyright throughout Her Majesty's Dominions is granted to Canadian authors.

The collection in the British Museum is, as you are aware, the only national collection, and I am sure your Ministers will agree with me that it is important that it should be complete, and especially in respect of works issued in the most important of Her Majesty's Colonial Possessions, and that it is not too much to ask that a copy of a

* To Lord Aberdeen only.

† No. 76.

work which receives important advantages from the Imperial legislation referred to should be supplied for use in the Museum.

Apart, therefore, from the question referred to in the letter from the British Museum, which is now engaging the attention of Her Majesty's Government, I hope that your Government will take such steps as may be in their power to ensure that copies of books published in the Dominion are furnished to the Museum.

I have, &c.

RIPON.

No. 78.

COLONIAL OFFICE to BRITISH MUSEUM.

SIR,

Downing Street, August 4, 1894.

IN reply to your letter of the 19th ultimo,* I am directed by the Marquess of Ripon to transmit to you, for the information of the Trustees of the British Museum, a copy of a Despatch† which has been addressed to the Governor-General of Canada, respecting the supply of books published in the Dominion to the Museum Library.

I have, &c.

JOHN BRAMSTON.

No. 79.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received August 21, 1894.)

[Answered by No. 80.]

SIR,

Foreign Office, August 20, 1894.

I AM directed by the Earl of Kimberley to transmit to you, herewith, to be laid before the Marquess of Ripon, copy of a note from the United States Chargé d'Affaires, inquiring whether there is any probability of Canada withdrawing from the British Copyright Acts, and I am to inquire what answer should, in his Lordship's opinion, be returned to Mr. Roosevelt.

I am, &c.

E. GREY.

Enclosure in No. 79.

Embassy of the United States, London,

MY LORD, August 16, 1894.

REFERRING to Lord Salisbury's note to Mr. Lincoln of June 16th, 1891, and the note of your Lordship's predecessor in office to Mr. Henry White of the 12th November 1892, I have the honour to ask your Lordship, under instructions from my Government, to be so good as to inform me if there be any just ground to apprehend that the reported agitation of Her Majesty's Dominion of Canada for the repeal of the British Copyright Acts may prove successful. The complications of copyright between the United States and Canada are, unhappily, already serious, but the sanction of the unrestricted freedom of literary reproduction in the Dominion would be so great an evil, that it is sincerely to be hoped that Her Majesty's Government may find it possible to avert any action which could in any way imperil the existing copyright agreement between Great Britain and the United States.

I have, &c.

The Earl of Kimberley, K.G.

JAMES R. ROOSEVELT.

&c., &c., &c.

* No. 76.

† No. 77.

No. 80.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, Downing Street, August 28, 1894.
 I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 20th instant,* enclosing copy of a note from the United States Chargé d'Affaires, enquiring whether there is any probability of Canada withdrawing from the British Copyright Acts.

Lord Ripon presumes that the Earl of Kimberley will agree with him in thinking that no further answer can be returned to the United States Chargé d'Affaires than to inform him that the question of Canadian Copyright is receiving the consideration of Her Majesty's Government, and that it would be impossible to make any statement on the subject at present.

I am, &c.
 JOHN BRAMSTON.

No. 81.

COLONIAL OFFICE to FOREIGN OFFICE and BOARD OF TRADE.

SIR, Downing Street, September 13, 1894.
 WITH reference to previous correspondence, respecting the question of Copyright in Canada, I am directed by the Marquess of Ripon to transmit to you, for the information of, The Earl of Kimberley, Board of Trade, copies of correspondence on the subject between the Prime Minister of Canada and Mr. F. R. Daldy, which have been left with this Department by the latter gentleman.

I have, &c.
 EDWARD FAIRFIELD.

Enclosure 1 in No. 81.

LETTER to Sir JOHN S. THOMPSON, Prime Minister of the Dominion of Canada, on
 CANADIAN COPYRIGHT.

(From recollection.)

DEAR SIR JOHN, July 19, 1894.

I HOPED to get to Ottawa, with introductions to Lord Aberdeen and Lord Jersey, before the Conference separated, but I find it already dispersed. I shall, however, now that I am in the country, be most happy to come to Ottawa, if you think it useful to give the subject consideration. The Colonial Office have kindly allowed the Copyright Association to consider your last Despatch, and I am afraid that, with every disposition to meet your views, they will be unable to comply with your wishes. They are, however, desirous of finding a compromise which would remove all the obstacles apparent, except lessening the author's control over his property. They regret your laying your Despatch before the members of the Conference without its answer, as it can only present one side of the question.

I am, &c.
 F. R. DALDY,
 Hon. Sec. of the Copyright Association.

To Sir John S. Thompson,
 Ministry of Justice,
 Ottawa.

Enclosure 2 in No. 81.

CANADIAN COPYRIGHT.

Office of the Minister of Justice, Ottawa,
 July 21, 1894.

MY DEAR SIR,

I HAVE your letter of the 19th instant. I should be very glad to see you, but have nothing further to say about Copyright at present. Parliament is dealing with the

matter, and I regard the subject as quite past the stage of negotiation. The treatment which Canada has received on this subject is too bad to be spoken of with patience. It is true that Members of the Conference were furnished with a statement of our case before *we received* a reply to our last communication, but *not before* we had *waited* for a reply. No reason has occurred to me why we should not do so, but we declined to submit the matter to the Conference for action, as the policy of our Parliament was so clear, and so firmly established, that we could not make it a matter for argument, although the members might properly be informed as to what that policy was.

Yours, &c.

JNO. S. D. THOMPSON.

F. R. Daldy, Esq.,
c/o A. Molson, Esq.,
Fern Hill, Georgeville,
Lake Magog.

Enclosure 3 in No. 81.

REPLY to Sir JOHN S. D. THOMPSON's Letter of July 21st on CANADIAN COPYRIGHT.

DEAR SIR JOHN,

Fern Hill, August 1, 1894.

I AM sorry that my absence in the States to see a sick friend has prevented my replying sooner to your letter of the 21st ultimo, which I have now received.

From its tenor, I gather that a visit to Ottawa on its subject would not be of any advantage. This I regret, but, of course, I duly appreciate your reason. Your letter shall be brought under the notice of the Colonial Office as soon as I return to England. I can, however, assure you that the Colonial Office has bestowed great attention on your Despatch.

I am, &c.

F. R. DALDY.

To Sir John S. D. Thompson,
Ministry of Justice,
Ottawa.

No. 82.

COPYRIGHT ASSOCIATION to COLONIAL OFFICE.

(Received November 1, 1894.)

MY LORD MARQUESS,

London, October , 1894.

SIR JOHN THOMPSON's Despatch on Canadian copyright, dated May 1894,* which your Lordship kindly submitted to us for consideration, has been laid before a special joint committee of the Copyright Association, the Incorporated Society of Authors, the Printsellers' Association, and the sections of the London Chamber of Commerce representing the Printing and allied trades, the Music Publishers, Photography, and the Fine Arts.

This committee has devoted its attention to a detailed examination of the Despatch, and has the honour of laying before your Lordship, in the annotated copy accompanying this letter, a series of observations referring consecutively to each of its paragraphs. These observations will, they trust, commend themselves to your Lordship, and this committee will esteem it a favour if you will bring them under the notice of the Departmental Committee appointed to consider the Despatch.

This question has been so long under consideration that this committee, to prevent unnecessary repetition, respectfully direct special attention to Mr. F. R. Daldy's letters to the Colonial Office, dated February 22nd and November 1890.†

Hitherto, the laws of copyright have been directed to the protection of literary and artistic property *as a natural right of an author to the fruit of his labour*. They have not been designed to create any *exclusive trading privilege*.

All countries, including Germany, France, Austria, Spain, Italy, and Belgium, though their fiscal legislation is protective, have appreciated this distinction, except that the United States, in their recent Copyright Act, attached the condition of *printing* (not publishing) a book within their own country, but from this condition music and engravings are excepted.

* Enclosure in No. 43.

† Nos. 5 and 21.

The committee regard the Act of 1889 as a retrograde protective action on the part of Canada, and contrary to the principles adopted at present throughout the British dominions; viz.:

1. That a work shall be first or simultaneously *published* therein ;
 2. That copyright shall be independent of the place of *printing* ;
- and they earnestly beg your Lordship not to yield to the request contained in Sir John Thompson's despatch.

In all Acts giving self-government to a Colony, the subject of copyright has been expressly or impliedly reserved for Imperial legislation. Canada's request is contrary to the principle now in force, which was established, and is maintained, because it seems impossible honestly to protect it as property without a *uniform law* for all parts of the Empire. This principle was also upheld by Mr. Gladstone as recently as 1892, in the Home Rule Bill he introduced for the consideration of Parliament.

They desire to point out that Canada requests the Imperial Government to legislate so as to restrict and curtail rights which authors have enjoyed throughout the Empire ever since British copyright existed, *i.e.*, the right to prevent their writings being utilised without their sanction. They submit that the rights of self-government do not warrant the appropriation of other peoples property (*vide* para. 9 of Sir J. Thompson's despatch).

When the Colonial Office had this question before it in 1890, it felt constrained to refuse Canada's request that imperial sanction should be given to the Act of 1889, not only because it was *ultra vires* but also because it was impracticable, uncalled for, and unjust—impracticable, owing to the difficulty of arranging licenses in a manner equitable to the authors whose works were reprinted, and because it would sap the fundamental principle of the law of copyright, which is, to allow an author *full control over the product of his own labour* ; uncalled for, because Canada already had cheap literature under the Act of 1847 ; and unjust as not allowing for the different values of author's writings.

The committee ask your Lordship to bear in mind that your predecessor was a member of the Royal Commission on Copyright, and they hope the Colonial Office will not be led to reverse its previous decision without fresh and far more cogent reasons than have yet been brought forward to justify such a step. The reply of the Colonial Office practically was: we have not the power to authorise this Act, and we should inflict an injustice on authors if we did. And the request preferred in the Despatch under consideration is that we should assist Canada to tamper with the rights of authors outside her dominion and not under her control.

Canada, on previous occasions, asked for cheap literature ; she now asks the Imperial Government to help her to establish *commercial protection* for her printers, at the expense of the owners of the property she would thus, without their consent, utilise on her own terms.

They would also point out that the change proposed by Canada would jeopardize the rights of British and Canadian authors to copyright in the United States. Already the United States Government have taken action on the subject, and they are strongly urged by authors and publishers in America to withdraw the proclamation if our law is so altered as to admit of their copyrights being reprinted in the adjacent country without their sanction. In this connexion, they ask attention to the letter from Mr. Mills, Messrs. Longman's manager in New York, which is enclosed herewith, and especially to the reference to Canada's ignorance of the whole proceeding.

Reprinting in Canada is also at variance with England's declaration to the United States, and must lead to serious ill-will on their borders. If the United States withdraw their proclamation, this reprinting will expose British authors to two pirating countries, viz., the United States and Canada.

They submit also for your Lordship's consideration that we cannot accede to Canada, without doing the same to all the other Colonies and thus disintegrate the whole of the copyright law.

France, also, would have a grievance. Two millions of the population of Canada are of French extraction and read French copyright books.

The committee wish to point out to your Lordship that, in their opinion, every reasonable concession has been made to Canada already. She has all the benefits of copyright accruing to the United Kingdom, and her people have been specially considered in the Act of 1847 and consequent legislation, but, in this Despatch, Canada, for the first time, asks Great Britain to alter and curtail the area of those laws to enable her to provide extra employment for her printers.

The committee would, however, draw your Lordship's attention to the hindrance to providing cheap editions for Canada, found in the 15th clause of the Act of 1842. If an

author prepare a special cheap Colonial edition of his work, he cannot exclude copies of it from his home market unless he takes out Canadian copyright, and this would not protect him in Australia or elsewhere. Would it not show Canada our desire to meet her readers' wishes, as far as possible, if a short Act were passed to exclude Colonial editions from the home market without the copyright owner's written consent, *even though lawfully printed within the British dominions?*

They feel, moreover, that the commercial desires of Canada would be gratified by such a course, and that it would remove some authors' objections to preparing a Colonial reprint, and also act as a stimulus to Canadian publishers to come forward and make arrangements with authors for both the Canadian and American markets. These markets are so intermixed that they cannot well be dealt with separately.

With every disposition to meet Canadian views, they desire to impress on your Lordship the urgent need and absolute necessity there is for maintaining *an author's control over his own works*. The reasons for this have been presented on several occasions, and a departure from this course would sap the very foundations of copyright, and would be so retrograde that it would, in their opinion, be unworthy of a highly civilised community such as the British Empire, and shake the confidence of other countries in England's fidelity to her engagements.

The committee venture also to draw your Lordship's attention to tariff and royalty legislation in Canada during the present year, and to ask you to point out to the Canadian Government that it will, if acted on, cause the Order in Council issued under the Act of 1847 and Canadian Act of 1850 to be inoperative, and consequently render the importation of *any foreign reprints* into that Dominion illegal.

I have, &c.

FREDERIC R. DALDY,

Hon. Sec. of the Copyright Association. On behalf also of the Society of Authors and the other bodies represented on the Joint Committee.

Enclosure 1 in No. 82.

NOTES and OBSERVATIONS on each Paragraph of the Despatch from Sir JOHN THOMPSON on Canadian Copyright, May 1894.*

1. Introductory.

2. The Imperial Statute of 1842 did not give the *publisher* any interest except such as the author might choose to sell to him. Copyright is in no sense a monopoly. It involves a new creation, whereas a monopoly implies an interference with a liberty previously enjoyed by all. Copyright property requires special protection, because it cannot be ear-marked, and is so easily filched.

The last lines appear to us to be a confusion between the title to, and the realisation of, property.

3. The publisher has no right to be dissatisfied—copyright only concerns the author and the reader. Unless a publisher buys an author's rights he has no *locus standi*, and then only as an author. The reader got his market satisfactorily supplied and has not expressed dissatisfaction.

The protests he referred to were satisfied by the Act of 1847, and the Canadian Act of 1850.

4. Earl Grey only speaks of the "rights of colonial authors and the interests of the *colonial public*." He does not consider the interests of the publishers or reprinters. These are left free, subject only to the legal rights of property.

5. When Earl Grey refers to "the Royal Sanction," he assumed it would be exercised with some discretion, and would be conditional on the rights of British authors being duly cared for. As stated in reply to par. 3, these rights were satisfied in 1847 and 1850.

6. This settled policy of the Imperial Government has not been interfered with. The assurance has been fulfilled, for England legislated and defined the limit to which a colony might legislate, and thus avoided the necessity for any Imperial veto.

7. We show that Earl Grey did legislate in accordance with the spirit of his despatch, and the result was substantially the same. The Act of 1847 was in satisfaction of this relief, and Canada was afterwards allowed to legislate for her authors (not ours) and her public.

* Enclosure in No. 43.

8. No understanding with the Colony was called for. There is no evidence that the "Foreign Reprints Act" was intended to be partial or temporary, or that it fell short of what had been promised. Legislation completely carried out her wishes as far as then promised or expressed.

9. Lord Grey only undertook to relieve the author and the reader. The author was relieved by allowing the Colonies to legislate for *their* authors, and by the Act of 1886—the reader by Act of 1847; but Canada's mode of describing the concession seems neither just nor generous. Surely the rights of self-government do not warrant the appropriation of other peoples' property, whether authors or tailors.

Here again appears a confusion between *the title to* and *the utilization of* property.

10. The same style of language pervades this clause, and surely hardly befits a State paper. The author's royalty is stigmatised as a "tax," suggesting that it is an unjust imposition, and that the British author who has *volens volens* to give up his property is "privileged" because the price of so doing is claimed by him, a price which he had no voice in fixing, and which is too seldom paid.

11. In March, 1870, copyright owners were aware of Canada's not collecting the author's royalty, and called attention to her studied negligence. Not a monopoly, *see* par. 2.

12. If great pains had been taken to collect this royalty, why were the books not stamped as in other Colonies? If the royalty was odious and unjust, why did not Canada repeal her Act of 1850, and let the Order in Council be revoked? Canada surely knew the advantage that Act was to her, and yet shrinks from carrying out its provisions. Can British authors trust a Colony which refuses to carry out her own Acts of Parliament, and, in this clause, actually refuses to do so, to legislate for them? and yet she asks for further concessions to stimulate her to honesty. She will not carry out her contract unless she gets more than the contract gave. Is this *bonâ fide*? Is it honourable? Is it a ground for trusting her again?

13. The Canadians had the power to prevent this but were too indifferent, and took no trouble to arrange with the author. This simple step would have stopped most of her complaints. It is too grossly unjust to seek an Act of Parliament to satisfy this negligence by robbing British authors. Others may be inclined to give a different meaning of the word "proper."

Canada surely knows that we cannot and ought not to interfere with America's actions, and also that what she urges is rather a trade than a copyright question, and that it cannot be conceded without upsetting copyright property for the doubtful benefit of a few reprinters.

The publishing interest here referred to is only the reprinting interest.

14. *See* note on par. 4.

15. Canada's requests, as here referred to, were never thought "reasonable." Canada knows we never made any arrangements with the United States, and that we cannot regulate foreign municipal law. It is too absurd to imagine we presented the United States with any monopoly. The present state of things has arisen from *her* legislation, with which we had not anything to do.

16. We are obliged to assert boldly we never gave Canada *any* assurances which have not been fulfilled.

17. We must repeat we had no hand in the "improvement" of the law. It was not altered by any action on our part. By United States legislation, Canada's position was improved just as England's was—no more, no less—for Canada can now copyright a book in her own country, the rest of the British Dominions, and in the United States by printing it there, a very easy process for Canada. England is, like Canada, debarred from reprinting either an American or English book copyrighted in England, or an English copyright book, without the author's sanction.

18. We all admit that copyright law is imperfect, but not in the sense in which it is described in this despatch.

19. We have not granted protection to American copyright books by any Act since 1842, and then we made first publication here the essential condition for all copyright. Canada now has as great privileges as the mother country, but neither they, nor we, nor Americans can take an author's property and reprint it without his consent, nor can we, in fairness to him, ask to be allowed to do so. If England cannot prevent moral robbery in America, that is not a reason for encouraging it in Canada. Canada can now reprint with the author's sanction.

20. Under the Act of 1886, publication in the Colonies gives copyright throughout the whole British dominions.

It is no concession at all as regards reprints, but a very valuable one as regards copyright pure and simple. Canada seems jealous of America and all countries which respect copyright as distinguished from reprinting.

21. Consideration was given to the report, but the proposals were *ultra vires* and unfair to the owners of copyright.

22. Copyright *property* only is made secure. *Trading* in it is *left free*. Canada has not been in the habit of applying in time. Active tradesmen watch the market. Canada asks for legislation to save herself the trouble of doing so. By her own showing, arrangements have been already made with American publishers *before* Canada made her offers.

23. Assent was withheld because the Act was *ultra vires* and unfair to owners of copyright. See par. 21.

24. The grievance has never been admitted as *stated*. England has never admitted any grievance which has not been remedied either by the Act of 1847, or that of 1886, or by the right given to Canada to legislate for her own authors.

25. It is most unfair and trifling with the subject gravely to put forward such a positive statement. Lord Grey said no more than he carried out. He said he "relied on the disposition of the Colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent." By the Act of 1847 he left to the local legislatures "the responsibility of passing such enactments as they might deem proper for securing the rights of authors, and the interest of the public." This Canada did in 1850, and the Act received the Royal Assent and became operative by an Order in Council, dated December 12th, 1850. The copyright law of this country then ceased to be operative, where repugnant, so far as excluding reprints from Canada. Practically, authors and the public were satisfied, and *are now*, for neither take any interest in Canada's trade demands, either from not being aware of any such demand, or from disapproval of it.

26. The Royal Commission only recommended the permission of licensed editions for the benefit of Colonial readers where the public were not able otherwise to be adequately supplied with any particular book. This condition is entirely omitted from the despatch, and therefore its bold assertion is both at variance with fact and misleading. No case has yet arisen to which the suggestions of the Commission would apply.

27. Canada was courteously asked if she would like to join the Berne Convention and elected to do so, and now, though it remains as it was formed at that time (1886), she desires to withdraw. Why this instability?

28. If Canada at that time desired the reprinting facilities she now asks for, why did she give her assent? Surely it is no argument for joining a convention, that you can withdraw afterwards. Great Britain is made the judge of the propriety of giving notice of the withdrawal of any of her Colonies; she may, of course, do so on their request, but it rests with the Imperial Government to decide.

29. Canada's withdrawal rests with England, and is now peculiarly wanton; for other countries, such as America, Austria and even Japan, though not members of the Convention, are making efforts in the opposite direction, viz., to strengthen the foundations of copyright property. Can Canada have realised that her withdrawal might exclude her from the benefits of the Act of 1886, and restrict the copyright of authors first publishing there to that Dominion? Surely this drives Canadian authors to publish outside the Dominion, and unnecessarily discourages her printers and publishers.

30. No one disputes Canada's right to ask for withdrawal, but, we repeat, the acting on that request rests with the Imperial Government, and by the Convention it is in England's power to decline to do so.

31. No. The publishing interest is improved, because, as a member of the Convention, the publisher can assure the author of the widest area for copyright if he is allowed to publish the book. It is only the reprinter, who wants to filch an interest in the copyright, who is injured. England regards the Berne Convention as favourable to authors and copyright considers their interests, not reprinters'. The conditions of society surely have not greatly changed within the last eight years since Canada joined the Convention. Though Canada's population is sparse, literature is easily accessible in all parts, and the power of reprinting asked for would not improve matters. The absence of circulating libraries proves that the people are satisfied with present means of supply. France would naturally be annoyed by Canada's withdrawal, because two million Canadians are French and require French literature. There is no complaint from French Canadians that they cannot get the books they want.

32. See observations on paragraphs 29 and 31. Canada is not asked for reasons, but she is expected to act in a courteous manner when she prefers a request. Her "determination" must be sanctioned by England.

33. No Canadian legislation is necessary. If it were, Canada's conduct would be prominently bad, for she joined it in 1886, and has not yet done what she herself considers necessary to give effect to her own action.

34. This despatch seems to ignore the difference between the two countries. England's settled policy is a free trade policy; America, though gravitating towards free trade, is essentially protective in her trade and labour policy. Can England be expected to reverse her policy for the sake of Canada's printers?

35. America granted England copyright on the faith of certain facts existing, and if we alter the *status quo*, it is too obvious she would consider herself tricked and could withdraw her proclamation. She has already taken up the question, for she sets much value on Canada's inclusion, as relieving her from reprinting on her borders. Is it likely American authors would allow their works to be reprinted by an adjacent country when she gave that country copyright on the faith of *our* statements that this could not be done. Therefore, England and all the other Colonies are to lose American copyright merely to give Canada an unrighteous opportunity of pandering to her reprinters.

We must repeat that no promises of redress were made except those already fulfilled. If so, When? and Where?

36. America evidently relied on the existence of these facts and gave England and her Colonies a considerable privilege in consequence.

37. The effect of these facts stated at a time when England knew that certain consequences would depend thereon is practically to undertake that the state of things then existing would not be altered, especially without America being consulted.

38. It is certainly implied that these facts would not be capriciously changed. Can there be any doubt as to America's action if they are? England would be responsible for the denunciation of the Berne Convention as regards Canada. Canada now has American copyright on this basis as well as the rest of the Empire.

The Berne Convention had nothing to do with England's statement to America, but if America chooses to obtain copyright in Britain by publishing in Canada—which she can do under the Acts of 1842 and 1886—surely America should have something to say about Canada's withdrawal from the Berne Convention.

39. Canada says she asks for no other conditions, *after* she has upset all our copyright laws, because she knows each part of the Empire would be similarly treated.

America laid stress on Canada's inclusion on the same footing as England, and it is absurd to suppose that the limitation of Canada's copyright would not affect America.

40. This is not the English policy. The result is due to Canada's apathy in making commercial arrangements. England's action in this is for the interest of British authors and Canadian readers.

41. As stated above (par. 22), Canada's remedy is to outbid the Americans, and control, not only her own, but both markets.

42. The necessity for type-setting in America affects every one, not only Great Britain, but even Americans themselves. England did not "accede to" the arrangement, and considers the necessity of type-setting in America most injurious to authors. Canada's bad faith about the author's royalty under her Act of 1856 does not prompt authors to trust her in any other arrangement.

43. Quite accurate; neither Canadian author or reader asks it. A careful perusal of this despatch is absolute proof of this.

44. Canadians can buy for both markets, Canadian and American. It is a question of terms.

45. See par. 44. The inconsistency charged here is due to a confusion between books reprinted before the American proclamation and the demand for English copyright books which that proclamation has stimulated.

46. The disadvantage is due to the unwillingness of Canada to give the same or better terms than the Americans.

47. Our Law Officers, as well as Lord Selborne and the present Lord Chancellor, differ from Sir J. Thompson, and it is obvious we ought to rely, preferentially, on their opinions. Canada's own Courts differ from him: see *Smiles v. Belford* on appeal (1 Upper Canada, reports 436). See also the Colonial Office Despatch of March 25th, 1890. Besides, since that time, Canada has thrown off the mask and has gone far ahead of any grounds previously taken up. No assurances of *such* legislation were ever given.

48. Yes; that policy always has been to "give the author full control over his own property, and never to interfere with the *commercial* management of it."

49. The author is supposed to be compensated by a royalty, not a Customs duty. It is not denied that the use of the property would be made without the author's consent. Every effort has been made to show Canada the effect of such withdrawal on herself.

50. Canada has no *right* to withdraw unless England is willing. England has power, if she thought it desirable, to refuse her request.

51. The Committee's statement is true and most important. Lord Salisbury's statement should not be wantonly made untrue by subsequent changes, except after consultation with the party to whom he made it, viz., the United States. We cannot help Canada's conduct, but mere self-respect prevents our aiding and abetting the wronging of others for her benefit.

She has no wrong for which she can ask redress. Can she be serious in saying "Canada's commercial interest is placed at the disposal of a privileged class"? When Canada resorts to *veiled threats* it is only kind to her not to notice them. We are discussing an important question which is engaging the attention of statesmen. Canada is at no disadvantage. She enjoys all the rights that England enjoys under existing copyright laws, and one extra advantage conferred by the Act of 1847.

The confusion of the commercial interests of Canada and Canada's market with the title to copyright is again apparent here.

52. Quite true. This is also the international view.

53. But America has shown a disposition to adopt it. The manufacturing clauses are confined to books, photos, chromos, and lithographs. It has just been decided in *Novello and Co. v. The Oliver Ditson Co.* that they do not apply to music. We repeat we cannot control United States laws or actions, but we aim at reprinting not being required, because it is obviously against the author's interest. Does Canada, in the last sentence, ask us to diminish her field of copyright because her printers will be satisfied with what they can take from what fields are left.

54. Undoubtedly. It would be depriving the author of the control of his property.

55. The statement referred to is true. A book has other qualities besides its money value. It gives forth views the author wishes to disseminate. It enhances his reputation; it gives him notoriety, &c. But all this would be destroyed if he were *unable to modify in future editions what he desires to say*, or to bring up his information to the newest standard of knowledge. If the United States publisher does not pay more because he has the Canadian market, surely it is easier for the Canadian publisher to outbid him in negotiating with the author.

56. If so, the Canadian could acquire both rights advantageously to himself by the despatch's own showing; but the statement is very confused. If the American bought the right, how could the author sell it afterwards to the Canadian? Probably the American bought one book, which so far increased the author's reputation, that his subsequent work became much more valuable. This instance goes far to show that the Canadian publisher can now buy both markets with advantage, *if he will exert himself to do so*, and publish in both markets.

57. This despatch does not show any "grievance" except the disappointment of the reprinter, and is asking the Imperial Government to legislate at the expense of the British copyright owner for the Canadian reprinter's benefit. We cannot find when or where the Imperial Government promised to redress "*this grievance*." The grievance is constantly shifting. At one time it was the public, now it is the reprinter, that is the great sufferer, and at all times the Canadian author is ignored.

58. We think the opinion quoted is true. For "tax" read "author's royalty." For "was collected" read "should have been collected," if only to show that Canada could honourably carry out her own undertaking. Canada cannot be ignorant of America's action, but wilfully ascribes it to Great Britain. Are such statements trustworthy? All know that copyright slightly enhances the price of a book, just as having to pay for the bricks or stones of a house increases its cost. Would Canada say, therefore, steal them? It rests with Canada to show that the Canadian cannot acquire the copyright. The Canadian *readers* seem to desire to honestly pay for copyright, for they make no complaint of a slightly enhanced, not doubled, price.

59. The "Canadian press" is not locked, but Canadians seem too indolent or ignorant of business to utilise it. In a State Paper, the Premier of Canada actually talks of banishing British literature because he is unable to discriminate between honest royalty-paid literature and that which, as we can prove, is smuggled in with the Government's connivance. Canada's conduct does not prove that the author's position would be bettered by the Act of 1889.

60. Canadian reprints would only take the place of American, and therefore the result to British authors would be the same.

61. Inconvenient to Canada to carry out her own undertakings! Why should a government thus bespatter a people? Canada can give up collecting this royalty when she likes, but by refusing the *quid pro quo* under which foreign editions are admitted, and compelling us to withdraw the Order in Council under which they come in. Then every copy could be seized as a piracy. The Act of 1847 makes the royalty essential to the efficacy of the Order in Council.

62. Australia is ahead of Canada in literature and authors because she fairly protects their property. It is not a case for parliaments, but for the exercise of common honesty.

63. This might be the outcome of the isolated position Canada takes up. Canada attacks the literary property of all nations, and thus places herself outside the arrangements of civilised society even more than Liberia or Haiti, and in the same paragraph is shocked at the idea that her interests should not be considered more than those of the rest of the world.

64. Either Canada has overlooked the interests of authors or cannot understand them.

65. Competition creates opportunities for all. Canada cannot sit still and say she has no opportunities. Her failure to grasp opportunities is due to want of enterprise fostered by the fascination of "building the house with bricks belonging to someone else and taken without his sanction." The royalty to be received by an author under the Act of 1889 is not guaranteed by Canada herself even.

66. The Despatch complains again that England made concessions to the United States, having said previously (par. 36) that she did not do anything of the kind.

How is Canada's condition worse, except that, like all parties to the Convention, she must pay now for property which she could previously use without payment?

67. Copyright laws are to protect property, not trade.

68. Cheapness of production is still more in favour of the Canadian producer. If Canada, as here acknowledged, can compete in one case, why not in all? Is not this self-stultification? Nothing hinders competition but want of enterprise. Is it dignified to cry out for protection without helping yourself according to your opportunities? More than 50 books have already been published in Canada with the authors' sanction, and 20 times as many might be, without let or hindrance. A Canadian can print his book in the United States more easily than an Englishman can. His true remedy is to compete for British copyrights like the rest of the world.

69. As remarked before, we cannot control United States legislation. England is affected as well as Canada, but we think it more dignified not to complain of what we cannot prevent.

70. Canada seeks the encouragement of her reprinters, and to promote this all other interests may "go to the wall." Does Canada think she can, in common honesty, ask the Imperial Government to help her pillage British and Canadian authors to benefit Canadian printers, even if this could be the result of the action? The granting of "any number of licences" to reprint British books would soon kill the royalties by "competition," which Canada does not like.

71. No law prevents Canada "selling in its own market," but it must keep within legal limits and not take the author's profit to put it into its own pocket.

72. So it would be.

73. Canada's proposed action would hinder the production of new copyright books by filling her market with very cheap reprints of books already published. This result was experienced by America.

74. If it benefited Canada why should she hold back because it would also benefit the United States? Would it not be possible to maintain the duty except against England and her Colonies if Canada wishes to do so?

75. The present low royalty is undoubtedly a hardship on British authors, and was only conceded to benefit Canadian readers, whose market was too small to justify the preparation of special editions for it. It is only necessary to stamp all imported copies, and render all unstamped copies offered for sale liable to seizure, to make the present laws effective.

76. This should apply to the Act of 1847 royalty, but the similarity of the rate with the tax on books seems to be accidental.

77. That inference is not justifiable and does not appear to be put forth seriously. Any fixed royalty is unjust to the author.

78. Self-government only within her own dominion and subject to existing laws and rights.

This was for valid reasons. The Act of 1875 indicates how Canada would use unrestrained liberty. In section 4, subsection 2, we read that "in the case of works of art, under which term original paintings, drawings, statues, sculptures, or photographs, etchings, and engravings are classed, they must be produced or reproduced in the country." Can we imagine Sir J. E. Millais reproducing a painting, or F. O. Murray an etching, in Canada, for the sake of Canadian copyright therein? And yet both are seriously injured by unauthorised photographs or other reproductions. Statesmen understand what Canada asks for, but cannot lend themselves to the promotion of such barefaced injustice.

79. The probability is that "works of fiction" are here referred to, as they have a more widespread sale in Canada than other books. Now these are being copyrighted in the United States so generally that the American reprint will soon become a thing of the past. Canada's past conduct has destroyed English authors' faith in her honesty, and has not prompted them to look favourably on more important concessions, even if Canada guaranteed the proceeds, which she shrinks from doing.

80. Who is to fix the retail price—the author? or is it to be done in spite of him? How provide against licensed editions, each less in price than the last? How provide against stories in a cheap form being *given* away as a supplement to a newspaper or as a bonus on other goods, and *no price* asked for it?

81. But we do. We attach importance to and differ from the Despatch on both points.

Smiles *v.* Belford and the opinions of our Lord Chancellor and of Lord Selborne have settled this point. What Canada desires is that we should give her power to legislate on our copyrights as well as on her own, and the conduct of Canada throughout this controversy in setting herself in opposition to the laws and tendencies of all civilised nations, merely for the doubtful gain of the printing interests of her Dominion, compels us to resist this.

82. The Report of the Royal Commission on Copyright was only favourable to Canada in so far as it suggested a way by which her *readers* might, if necessary, secure cheap literature. No necessity has ever arisen for acting on the suggestion, for cheap books are abundant.

Enclosure 2 in No. 82.

15, East 16th Street, New York,
October 16, 1894.

DEAR MR. LONGMAN,

I THINK you are interested in all copyright matters, and, of course, you are pretty well informed as to the working of the recent Copyright Act here in connexion with our own operations. It has occurred to me, however, that perhaps you have not had your attention called to one of our recent experiences, which is interesting as a comment upon what would have been in the absence of international copyright. The success of Mr. ——— books here, as well as in England, has had its effect, naturally, upon such of them as were published prior to the Copyright Act. "The ———," for example, before the success of "———," dragged along rather slowly in spite of its acknowledged merit; but we were succeeding in working up a very respectable sale for it when "the pirates" discovered that it was not copyrighted. A 50-cent edition was announced by a Chicago house, but before it could be placed upon the market, another house offered a 25-cent edition, and within a couple of weeks copies of the book were sold at wholesale for 3 cents! Although our sale has not entirely stopped, it has, of course, been very seriously affected, and I suppose, except for the start we achieved before the reprinters got wind of the book, we should have failed to sell more than a very small edition. Of "———," a book of similar size, we have already sold nearly 12,000 at \$1.25, and the royalties to be paid to Mr. ——— amount to about 450/.

It would seem, therefore, that copyright has been a very distinct benefit to the English author who had something good to offer, and it would be a very serious blow to English authors generally were anything to occur to interfere with the smooth working of the copyright understanding between the United States and England. I imagine there are always influences at work here to discover some means of nullifying this understanding; "the pirates'" opportunities are gradually diminishing in number, and, from their point

of view, it would be worth a very considerable effort if the present copyright protection could be terminated. It does not seem unlikely that the present attitude of the Canadians on the question of copyright is something of a menace to the continuance of the good understanding between the States and England. If their demand for unlimited control of the question of reprinting in Canada should be granted, for instance, it would be almost impossible to prevent a constant dribbling of contraband cheap editions across the frontier, which would surely lead to retaliatory measures from this side. In view of the fact that the Canadians cannot create a paying book market under any circumstances—they lack the population which is essential—it seems quite unreasonable that interests so large, and so full of possibilities, as those of English writers in the United States should be jeopardised.

You will be interested to know, in connexion with the Canadian desires, that I have lately received from a Toronto publisher, holding several sets of plates, a proposition that, instead of paying 10 per cent. royalty, in future he should be allowed to pay 1 cent per copy on all editions printed and sold in paper covers (they sell nothing else, by the way). His argument was that he has to sell books so cheap that he cannot afford to print any more on the regular 10 per cent. basis. He proposes to pay for ———, for example, (2*l.*) two pounds per thousand copies. If this is his proposal under a copyright law, which secures to him the sole right to print Canadian editions, what can be expected when such right to print will be open to anybody choosing to set the type of a popular book? I have not yielded to his arguments, of course, but it is an open question whether we shall not be compelled to make some concession in the end.

I have been rather surprised to find, on inquiring of chance Canadian visitors here, that the agitation for these unlimited rights of reprinting in the Dominion is confined to, and, indeed, known to, a very small section of the people, and that the interested section, from the point of view of printing offices. More than one bookseller has expressed in conversation not only ignorance of the scheme in detail, but positive opposition to the general idea. I gather that the booksellers, as distinct from the book printers and producers, have not been allowed to know too much of what was going on.

I suppose you have heard of the great success of ——— here. The publishers claim to have sold over 100,000 copies already. This appears to have been very greatly in excess of their most sanguine expectation, and of course could not have been done in the absence of copyright.

T. Norton Longman, Esq.

Believe me, &c.
C. J. MILLS.

No. 83.

F. R. DALDY, Esq., to COLONIAL OFFICE.
(Received November 10, 1894.)

[Answered by No. 85.]

"CANADIAN COPYRIGHT."

MY LORD MARQUESS, Aldine House, Belvedere, Kent,
November 9, 1894.

Your Lordship, in reply to my letter* asking you to receive a deputation on this subject, informed me that you did not think an interview would be appropriate until the Official Committee who had the matter in hand had made their report.

In anticipation of this report, and in consequence of Sir John Thompson's visit to this country, I now write to ask your Lordship if you would kindly let me know when the deputation will have the honour of waiting on you; and to say that I should be much inconvenienced if your Lordship could let me know a week before the date determined on.

Sir John Lubbock would probably introduce the deputation, and it would be representative of the various bodies mentioned in my printed letter† of last month.

I have, &c.

FREDERIC R. DALDY,
Hon. Sec. of the Copyright Association.

No. 84.

THE LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.

(Received November 13, 1894.)

[Answered by No. 86.]

"CANADIAN COPYRIGHT."

Botolph House, Eastcheap, London, E.C.,

November 12, 1894.

MY LORD MARQUESS,

REFERRING to a communication, on the subject of Sir John Thompson's Despatch of May 1894, recently addressed to your Lordship by Mr. F. R. Daldy, on behalf of a joint committee which was organised by this Chamber, and includes, besides the other bodies specified therein, its printing and allied, music publishers, and fine art and photographic, sections, I am instructed by my council to ask whether your Lordship would be willing to cause copies of any future communications on the subject of Canadian or other copyright to be sent to this Chamber, direct, in all cases where Her Majesty's Government are inviting the views of representative bodies thereon? The four trade sections mentioned above comprise upwards of 100 firms in the publishing trade, and in many instances are not represented by any other organisation. These sections fully endorse the representations made in Mr. Daldy's letter, and the object of the present communication is to confirm this fact, and to express the hope that your Lordship will view favourably the request that the Chamber may receive any future communications, confidential or otherwise, that may be made by Her Majesty's Government to other bodies interested in copyright questions.

I am, &c.

KENRIC B. MURRAY,
Secretary.

No. 85.

COLONIAL OFFICE to F. R. DALDY, Esq.

SIR,

Downing Street, November 16, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 9th instant,* and to acquaint you that he will be happy to receive the deputation on the subject of Canadian Copyright at 2.30 on Monday, the 26th instant.

I am, &c.

JOHN BRAMSTON.

No. 86.

COLONIAL OFFICE to LONDON CHAMBER OF COMMERCE.

SIR,

Downing Street, November 17, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 12th instant,† and to inform you that the wish of the London Chamber of Commerce to be furnished with copies of further communications as to Canadian or other copyright, in which Her Majesty's Government desire the opinions of representative bodies, will be borne in mind.

I am, &c.

JOHN BRAMSTON.

No. 87.

F. R. DALDY, Esq. (COPYRIGHT ASSOCIATION) to COLONIAL OFFICE.

Paragon House Private Hotel,

West Cliff, Ramsgate,

SIR,

November 17, 1894.

I BEG to thank you for your letter informing me that the Marquess of Ripon will receive a deputation on Canadian Copyright on the 26th instant at 2.30.

* No. 83.

† No. 84.

Will you kindly thank his Lordship for his courtesy, and inform him that I will arrange for the deputation at the time he has fixed and will be at the Colonial Office at the hour he has named?

Sir John Lubbock will introduce the deputation, and I hope Sir F. Pollock, Mr. Lecky, Sir A. Rollit, Mr. Longman, Mr. Murray, and others will attend.

I am, &c.

F. R. DALDY.

No. 88.

F. R. DALDY, Esq., to COLONIAL OFFICE.

(Received December 11, 1894.)

Aldine House, Belvedere, Kent,

December 8, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose to your Lordship, herewith, two copies of a flyleaf about to be circulated amongst authors, and to the press, because I think a perusal of it may assist you in discussing Canadian Copyright with Sir John Thompson.

I also send your Lordship, in a separate cover, a reprint copy of a letter I addressed to the late Lord Derby when he was Secretary for the Colonies, which I have reason to think has not yet been brought under your notice.

This letter, I have reason to believe, influenced his Lordship in his treatment of the question, and shows that Canada's request, in this or similar forms, has already been twice refused, and is now pertinaciously pressed for the third time. I am not in business, and do not now hold Copyrights, but I feel so strongly the fatal results to all Copyright property which would arise from conceding Canada's demands, that I hope your Lordship will excuse me for thus occupying so much of your valuable attention.

I may take the opportunity to add that the late Earl of Carnarvon in 1874 also assured me, verbally, that "of course he should not give his consent to so crude an arrangement."

I have, &c.

F. R. DALDY.

Enclosure 1 in No. 88.

CANADIAN COPYRIGHT.

Copyright is now uniform throughout the whole of the British Dominions, including, of course, Canada.

It is based on the following principles:—

1. That a work shall be first or simultaneously published therein.
2. That Copyright shall be independent of the place of printing, and of every other manufacturing shackle.
3. That the use of it as property shall, whilst it is Copyright, be within the author's control.

Canada now seeks to alter these bases, and has asked the British Government to sanction arrangements to take away Copyright in Canada from all persons but Canadians.

If such an Imperial sanction can be obtained, Canada offers to legislate so as to give British authors Copyright there for 28 years, *if they reprint and republish the work in Canada within one month of its original publication.*

But if an author does not reprint and republish his work there within a month, each Canadian printer and publisher may get a licence to print an edition, without the author's consent, on paying to the Canadian Government, for the author, 10 per cent. of the retail price of such edition. The retail price of every such edition is to be fixed by the publisher *without consulting the author.*

The proposed Bill is silent as to whether the royalty is to be paid on copies *sold*, or copies *printed*. The Canadian Government is not to be responsible for any royalties not paid to it.

The following reasons, amongst others, show some of the injuries such legislation would inflict on British authors:—

It undermines the general recognition of the rights of Copyright property, which has now become almost universal.

It interferes with the law of vendor and purchaser which prevails throughout the British Empire in respect to Copyright equally with all other personal property.

It takes from the author the control of his own property, and hence hinders his improving or correcting or enlarging his own writings.

It forcibly deprives him of the benefit now belonging to him in Canada under the Imperial Copyright Acts, and is thus a breach of faith.

It sanctions the appropriation of his property by others without his, the legal owner's, consent.

It weakens his title to his own property.

It injures his reputation by allowing the continued circulation of unimproved editions, even if the author enlarged his work.

It injures the value of his British edition, because the Canadian edition could be imported into the United Kingdom and the other Colonies, and compete with it.

It substitutes for trade contracts, on agreed terms, an inadequate royalty not guaranteed.

It clogs his property with the condition of local manufacture.

It was not recommended by the Royal Commission for cases where readers were adequately supplied.

It is at variance with the Free Trade principles of Great Britain.

Canada has no claim on English Copyright property above other civilised nations, all of whom recognise the author's control over his own works.

All that Canada can fairly ask may be obtained by less violent and more suitable means.

The only advantage derivable from reprinting without the author's consent will accrue to book manufacturers in the Dominion at the expense of the author and the general public.

Any such dealing with Copyright property in Canada will affect future arrangements with the Australian and other English-speaking possessions.

It would probably destroy our present means of securing Copyright in the United States of America.

It diminishes the Copyright interests of all who belong to the Berne Convention.

Enclosure 2 in No. 88.

(Private and Confidential.)

Art Journal Office, 294, City Road, London,

April 3, 1883.

MY LORD,

I HAVE the honour of drawing your Lordship's attention to the subject of Copyright, because you will in the immediate future have to decide questions connected with it which seriously affect Copyright property, and because circumstances have created an opportunity of improving our present Imperial legislation, and of determining the relations respecting Copyright which shall in future exist between the Colonies and the Mother Country.

Your Lordship is doubtless aware that a treaty between the United States and ourselves is under the consideration of both Governments. Also that Canada has requested us, as a condition of her becoming a party to that treaty, to repeal the present Copyright Act of 1842 so far as it affects that Dominion.

Knowing that Canada seeks the power to reprint English Copyright works on forced terms without the author's sanction, I venture humbly to submit to your Lordship that an unmodified compliance with Canada's request will be disastrously unjust to the Copyright owner. Also that many advantages will attend grappling with the whole subject, by consolidating and improving our present laws, as in the draft sent herewith, or in a somewhat similar Act, and providing, as in the Extradition Act of 1870, that Canada, or any Colony, may legislate herself out of this consolidated Act by making similar provisions through its own Parliament. See Section 24 of enclosed draft. The consolidation of these laws was recommended by the Royal Commission, which reported on this subject in 1878.

I had the honour of assisting Mr. Sackville West in preparing the draft treaty he has submitted to the United States Government, and I can assure your Lordship that the consent given to it (with some modifications not yet received) by that Government is essentially influenced by the fact of its extending to Canada and all other British possessions.

I am aware that Canada by her present Copyright Act enables Copyright owners in countries with whom Great Britain has Copyright conventions (but not British authors), to acquire a special local Copyright under it by republishing in that Dominion, and that therefore we might leave her becoming a party to the treaty to her discretion, and point out (if Canada persistently refused to join in the treaty) to the United States that her Copyright owners can compass the intention of the treaty by the simple act of republication in England; but this would hardly be satisfactory to the United States, and I think your Lordship may much prefer obtaining Canada's direct concurrence, unless she demands too high a price for it. It would, however, manifestly be futile to purchase a treaty with the United States, with the object of recognising the rights of literary property, at the cost of sanctioning a destruction of those rights within our own dominions.

Canada is, I know, anxious to acquire the right to legislate for herself on this subject, and the concession I have suggested would formally satisfy that ambition; but her further desire to be allowed to reprint British Copyright works without the author's sanction is so repugnant to the legislation of all civilised countries, and tends so much to weaken the very nature of Copyright property, that I hope it will never be conceded. And for the following amongst other reasons:—

Because it undermines the general recognition of the rights of Copyright property, which has now become almost universal.

Because it takes from the author the control of his own property, and hence hinders his improving or correcting his own writings.

Because it forcibly deprives him of the benefit now belonging to him in Canada under the Imperial Copyright Acts.

Because it sanctions the appropriation of his property by others without his, the legal owner's, consent.

Because it permits this appropriation on forced terms, and thus he is inadequately remunerated.

Because Canada has no claim on English Copyright property above other civilised nations, all of whom recognise the author's control over his own works.

Because all that Canada can fairly ask may be obtained by less violent and more suitable means.

Because the only advantage derivable from reprinting without the author's consent will accrue to book manufacturers in the Dominion at the expense of the author and the general public.

Because any such dealing with Copyright property in Canada will affect future arrangements with the Australian and other English-speaking possessions.

Because, if Canada be allowed to reprint without the author's sanction, English authors would be seriously injured thereby in their negotiations with the United States.

Because it interferes with the natural law between vendor and purchaser which prevails throughout every part of the British Empire in respect to Copyright, equally with all other personal property.

Canada has not the power to legislate generally on Copyright under the British North American Act of 1867. The Imperial Government, with, I think, much wisdom, retained control of this subject, because separate legislation, unless harmonious, would, practically, destroy the value of such property to authors and artists.

Separate legislations by separate possessions, unless harmonious, would also be inconsistent with, and would probably jeopardise, existing treaty rights on this subject; for although we may modify our Imperial law without affecting the spirit of those treaties, it is, I fear, a violation of them to reduce the area over which we have contracted to give Copyright, and such a change would probably necessitate the re-negotiating of all these treaties.

It must be borne in mind that Canada, under the United States treaty, would acquire the right of Copyright throughout the whole British dominions for American works copyrighted there, and that, from her proximity and greater intercourse with the United States, she will be in a position to compete advantageously with the English publisher for many United States Copyrights, and thus develop an increasing printing and publishing business. Also, that under the accompanying draft she can compete for all English Copyright works, and will be placed on the same footing as the English publisher.*

* This was accomplished by the Copyright Act of 1886. Copyright legislation was made use of instead of Treaty Arrangement with the United States.

It is highly probable that the simplification and consolidation of the Imperial law will greatly facilitate our negotiations with other countries. Indeed I know it will. At present the foreigner is bewildered when told that the rights of British subjects are contained in twelve different Acts. He cannot realise with any exactitude what those rights are, and after puzzling himself for months he abandons the whole subject in disgust; whereas, if we frame our law on the basis suggested, it will harmonize in character with that of France, Germany, and the United States, and be intelligible to those affected by it.

I shrink from trespassing further on your Lordship's time, and will merely add that, if I can be of any use in the carrying out of these suggestions, my time is at your Lordship's disposal.

I have, &c.

FREDERIC R. DALDY.

The Right Hon. the Earl of Derby, K.G.,
H.M. Secretary of State for the Colonies.

No. 89.

MR. R. E. BRAY to COLONIAL OFFICE.

(Received December 10, 1894.)

(Extract.)

102, Union Avenue, Montreal, Quebec,
November 27, 1894.

In the Canadian papers of this date is a report, concisely worded, of a deputation of English literary men who waited upon you in protest against the desire of the Canadian Government to abrogate the Copyright laws between this country and England.

I would humbly pray your Lordship to deal justly in this matter, from a moral and honourable standpoint and not one of political necessity. The desire of the Canadian Government in this matter is not the desire of the Canadian people; they have never been consulted in the matter. It is a disgrace to this country that under the pretence of fostering trade and commerce the people are deprived of their best interests.

Canadian cheap reprints mean the vilest quality of type, paper, and printing imaginable, the paper is of the very commonest—grocers' wrapping papers—and the print any worn-out type or obsolete styles that can be saved from the melting-pot.

This is just to enable one or two men to make money at the expense of a nation. No one who loves books or buys books will hesitate to pay a fair price for the same, providing it meets the requirements expected of a good book. Canadian reprints are only bought and sold by disreputable or ignorant booksellers, by all the better class ones they are taboo'd.

As a friend says "What is preferable to a cheap book is one that is honestly come by."

I therefore trust your Lordship will disregard the request of Sir John Thompson who speaks for the Canadian Parliament but not for the Canadian people.

No. 90.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

MY LORD,

Downing Street, December 18, 1894.

I HAVE the honour to transmit to your Lordship a copy of a letter,* which has been addressed to this Department by Mr. R. E. Bray of Montreal in connection with the proposals of the Canadian Government as regards Copyright, and I request that the writer may be informed that his letter has been received.

I have, &c.

RIPON.

No. 91.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

[Answered by No. 109.]

MY LORD,

Downing Street, March 15, 1895.

You are aware that one of the questions which the late Sir John Thompson proposed to discuss with Her Majesty's Government during his visit to this country was that of the Canadian Copyright Act, which has already formed the subject of considerable correspondence.

It has been the cause of deep regret to Her Majesty's Government that, owing to his premature death, the personal discussion from which they had hoped that a satisfactory solution of this vexed question might result, did not take place.

The grave objections to some of the provisions of the Canadian Act in its present form, and the international difficulties and complications to which it would give rise if it were allowed to come into operation, have been fully dealt with in previous communications, and the correspondence which has taken place has failed so far to bring about even an approximation of view between Her Majesty's Government and your Ministers.

In these circumstances I am reluctant to continue a controversial correspondence from which no result seems likely to be gained, and the only course which appears to me to offer any prospect of a solution, is that, as soon as convenient, one of your Ministers, or some gentleman duly authorised by them and fully conversant with the subject, should come over and discuss the matter personally with Her Majesty's Government.

The interests in this country affected by the measure are extensive and powerful, and the persons concerned have become seriously alarmed, whilst those in Canada whose interests are at stake may naturally be becoming impatient at the delay which has taken place; and I trust, therefore, that your Lordship will press the suggestion of a personal conference on your Ministers as preferable to a further interchange of Despatches.

I have, &c.

RIPON.

No. 92.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received March 21, 1895.)

[Answered by No. 103.]

4, Portugal Street, Lincoln's Inn Fields, W.C.,

MY LORD, March 20, 1895.

I HAVE much pleasure in forwarding to you, for your consideration, the petition of authors, publishers, and all those interested in copyright in the United Kingdom against the Canadian Copyright Act. All the signatures have been copied on to the main roll, but the separate copies of the petition with the original signatures are attached in the packets forwarded herewith, and correspond to the letters or numbers on the main roll.

I am, &c.

G. HERBERT THRING,

Secretary of the Incorporated
Society of Authors.

Enclosure in No. 92.

To the Most Honourable the MARQUESS OF RIPON, K.G., G.C.S.I., Her Majesty's
Secretary of State for the Colonies.

THE HUMBLE PETITION of the undersigned Authors, Artists, Publishers, and Copyright
Owners of Great Britain and Ireland.

Sheweth :

That a Bill entitled "An Act to amend the Copyright Act," chap. 62 of the Revised Statutes, passed through both Houses of Parliament of the Dominion of Canada, and now awaiting the assent of Her Majesty, is subversive of the principle which has hitherto governed copyright legislation in this country and on the Continent of Europe, is calculated to destroy the international arrangement known as the Berne Convention, and is likely to provoke retaliatory legislation by the Government of the United States.

And that the provision of the above-mentioned Act, whereby any Canadian publisher may republish the work of any British author, without his consent, which has fallen into the public domain in any form and at any time, on the sole condition of paying such author a royalty of 10 per centum on the published price of such work is unjust and impracticable. Further, that it is a retrograde step, inasmuch as the rights of authors are now, after long struggle, obtaining increased recognition throughout the civilized world.

Also that the provision whereby a period of one month only after first publication is allowed during which a British author may become entitled to exclusive copyright within the Dominion of Canada is insufficient.

We therefore humbly request that Her Majesty may be advised to withhold her assent from the Bill in its present form.

And your petitioners will ever pray, &c.

No. 93.

CANADIAN COPYRIGHT ASSOCIATION to COLONIAL OFFICE.

(Received March 22, 1895.)

(TELEGRAPHIC.)

[Receipt acknowledged by No. 95.]

Official statement Canadian Copyright mailed to-day; contains convincing argument our favour; see my letter London "Times" to-day.—LANCEFELD.

No. 94.

THE COPYRIGHT ASSOCIATION OF CANADA to COLONIAL OFFICE.

(Received April 4, 1895.)

The Copyright Association of Canada,
Hon. Secretary's Office, Hamilton,

MY LORD,

March 22, 1895.

I AM asked to transmit to you a copy of a circular giving an official statement of many of the points covered in the copyright discussion, from the Canadian point of view.

I also take the liberty of adding some other literature* bearing on the question, in order that you may see as much as possible of our side of the case.

I have also to add that some of the newspapers of England agree with us that Canada must have the right to pass and enact its own law. Thus, a friend of mine sends me a copy of the Norwich "Eastern Daily Press" of 28th February 1895, which has an editorial article commencing, "The protest of British authors against the new Canadian copyright is not likely to have the smallest effect," and ending with the statement, "But we fear that the evil from the point of view of the Incorporated Society of Authors is irremediable."

Apologising for troubling your Lordship,

I have, &c.

RICHARD T. LANCEFELD,

Hon. Secretary.

Enclosure in No. 94.

The Copyright Association of Canada, Toronto,

March 20, 1895.

CERTAIN erroneous statements having been circulated with regard to the Canadian Copyright Act of 1889, it has been deemed advisable by the Copyright Association of Canada to issue the following statements:—

The Canadian Copyright Act of 1889 was unanimously passed by the Parliament of Canada, and assented to by the Governor-General. General statement.

The Act was to come into operation on proclamation of the Governor-General.

The Governor-General has not yet proclaimed the Act.

The Canadian Government contend that they have the right to legislate fully on copyright, it being one of the classes of subjects entrusted to the Parliament of Canada by the B.N.A. Act of 1867.

The following are among the reasons why the Act should be proclaimed:—

A copyright is analogous to a patent. The Canadian Copyright Act is analogous to the Canadian Patent Act. That Patent Act requires manufacture in Canada. The Imperial Government did not disallow the Patent Act. The Imperial Government would not propose that a United States patentee, on securing the British patent, should thereby secure the Canadian patent. Why should the Imperial Government assure the United States author that on securing copyright in Great Britain he thereby secures copyright in Canada? Canada exclusively legislates as to the terms on which patents may be secured in Canada. Canada should be permitted to exercise the same powers as to the terms on which copyrights may be secured in Canada. A copyright analogous to a patent.

The United States publisher, when buying from a British author the copyright for the United States, stipulates that Canada shall be included. Canadian market must not be sold

Canadians resent this sale of their market, and persist in their claim to adopt such legislation as will put a stop thereto.

The fear that Canadian publishers would flood the British and United States markets with cheap editions is utterly unfounded, as the Copyright Acts of those countries prohibit the importation and sale of unauthorised editions, and impose a heavy penalty for violation of the law. Canadian publishers, therefore, could not flood either market with cheap editions.

It has happened that orders for books sent to London have been returned with "cannot supply" marked thereon, thus forcing Canadians to buy those books from the United States publishers.

On the other hand, the British publisher prints a cheap edition of a work by a United States author. This cheap edition is exported to Canada. An illustration on this point is furnished in the case of F. Marion Crawford's book, "The Ralstons." This book was published in the United States at \$2. It was published simultaneously in Great Britain at 12s. But the British publishers printed a cheap Colonial edition which sold in Canada for 75 cents. This cheap edition was on sale in Canada within a day or two after the publication of the United States \$2 edition. Here, then, is a British publisher issuing a cheap paper edition for sale in Canada—when one of the main objections of the opponents of the Canadian Act, which is made to do duty on every occasion, is that the Canadian publisher will issue cheap paper editions which will flood the United States market, in competition with the more expensive United States editions! It must be distinctly understood, however, that this cheap paper edition, which is sold in Canada, does *not* flood the United States market, for the very excellent reason, already stated, that the United States Copyright Act prohibits its importation or sale in the United States.

The Canadian Act permits the importation of British editions of works, whether copyrighted here or published under the royalty clause of the Act; but excludes foreign editions.

Should the author (be he British or American) neglect to secure copyright in Great Britain, any publisher may reprint the work there without paying the author.

Should the author neglect to secure copyright in the United States, any publisher may reprint the work there without paying the author.

Should the author neglect to secure copyright in Canada, no Canadian publisher could reprint the work in Canada without paying the author 10 per cent. royalty.

It is therefore clearly seen that, while the British and United States Acts permit the piracy of authors' works, the Canadian Act does not.

The introduction of the royalty clause in the Canadian Act was not original with the promoters thereof. The idea was suggested by the Foreign Reprints Act, passed by the Imperial Parliament, which allows a United States publisher, or other foreign publisher, who has printed a copyright book without permission, to supply the Canadian market on payment of a royalty of $12\frac{1}{2}$ per cent., collected on the whole-sale price of the book, which royalty goes to the British copyright owner. It was but natural for the Canadian to desire to be placed on an equal footing with the foreign publisher, so far as his own market was concerned. Therefore a royalty of 10 per cent. on the retail price of the book was suggested.

Furthermore, many difficulties have been encountered in collecting the royalty on imports, it being almost impossible to keep a complete and accurate list at every Custom House, and to check every invoice therefrom. The collection of the royalty on reprints, on the other hand, is provided for by the Canadian law in a perfectly safe manner, as the Inland Revenue Department is to stamp the title page of each copy of every book issued, and before this is done the royalty must be paid to the Government to the credit of the author. As a matter of fact, then, the author will exchange his royalty of $12\frac{1}{2}$ per cent. on imports, which is uncertain of collection, for a royalty on reprints of 10 per cent. on the retail price, which is certain of collection.

In considering this question, the geographical position of Canada, side by side with the United States, ought not to be overlooked. This fact makes Canada's position very different indeed from that of any other British Colony.

Compare the United States Copyright Act, now in operation, with the Canadian Copyright Act, and it will be seen that many advantages are given to authors by the latter.

To secure copyright in the United States, the British author must print his book there from type set within the limits of the United States, or from plates made from type set within the limits of the United States. The Canadian Act provides for no such restriction, but allows both British and United States authors to set the type in Canada, or print from plates, as they may think best. In anticipation of the Canadian Act

coming into force, the Canadian Government passed a special enactment allowing plates for books to be imported into Canada free of duty. The concession was made thinking that it would be appreciated, but those opposing the Act seem determined to ignore the concession. Yet the concession is there, and it proves that Canada grants British authors copyright in Canada on far more liberal terms than they can secure copyright in the United States, and that Canada grants United States authors copyright in Canada on far easier terms than Canadians are granted copyright in the United States.

Canada has not only lost the printing of works by foreign authors, but is fast losing the printing of works by Canadian authors, not because the books can be printed cheaper or better abroad, but because they have to be manufactured in the United States in order to secure copyright there. When that is done there is no necessity for issuing a Canadian edition, as the Canadian market can be supplied by the United States edition.

Under the present law the Canadian reading public are ignored, and the works of both British and United States authors must be imported into Canada, and, moreover, these editions are, in many cases, published at such prices as to put them beyond the reach of the great majority of Canadian readers.

British authors are now able to secure copyright in the United States, and United States authors are now able to secure copyright in Great Britain (which covers Canada). Therefore the copyright owners now refuse to print in Canada. They supply this market with editions printed either in the United States or Great Britain. This is considered a great injury to the printing, paper, and allied industries in Canada. It is, moreover, a source of trouble and annoyance to the people of Canada, as the British market is so far away, that after the supply on hand of a book is exhausted some weeks must elapse before a new supply can be procured.

A circular, containing objections to the Canadian Act, has been recently issued in England. These objections should not prevail.

The circular states that Canada has asked the British Government to sanction arrangements to take copyright in Canada away from all British authors except such as are Canadians. Such is not the case. Canada does not propose to take away copyright in Canada from British authors. The British author and the United States author may, under the Canadian Act, secure copyright in Canada on exactly the same terms as the Canadian author.

It is objected that the Canadian Act will injure the value of the British edition, because the Canadian edition could be imported into the United Kingdom and the other Colonies, and compete with it. But from the report of Lord Knutsford's Copyright Commission of 1892, it appears that, at the instance of the British copyright owners, the law of Great Britain was framed so that the importation of Canadian reprints of British works into Great Britain is prohibited.

It is objected that the Canadian Act is at variance with the Free Trade principles of the United Kingdom. That may be. The Canadian Tariff Act is also avowedly at variance with the Free Trade principles of the United Kingdom, yet the British Government would not propose to interfere with it.

It is objected that the Canadian Act will destroy the British author's present means of securing copyright in the United States of America. That is only an opinion. Are not the British publishers themselves alone responsible for the agitation against allowing British authors to hold copyright in the United States? The action of the British Music Publishers' Association in contesting what is known as the "manufacturing" clause in the United States Act has done British authors incalculable harm in the United States; and if the British music publishers will not accept that manufacturing clause (as British book publishers have very wisely done), British authors may yet find themselves deprived of the benefit of copyright in the United States.

As to the Berne Convention, it should be understood that the Canadian Parliament never adopted or agreed to the Berne Convention. On the contrary, the Canadian Parliament has twice asked that notice be given of Canada's desire that the Convention be denounced.

Most of the other objections are based on the supposition that the author loses control over his work under the Canadian Act. Nothing could be further from the fact, since, by complying with the terms of the Act, authors and copyright owners retain entire control of their works, and may suppress old editions, or issue new ones as desired.

Canadians insist on the full right of the Parliament of Canada to pass and enact legislation on copyright as desired from time to time; the same as they enjoy on the other subjects entrusted to that Parliament under the B.N.A. Act of 1867.

Injustice to important Canadian interests.

Reading public inconvenienced.

Objections refuted.

Canadians stand by the Act of 1867.

The right of the Parliament of Canada to enact and enforce its own copyright legislation has been endorsed by the unanimous vote of the Parliament and Senate of Canada ; by the newspaper press of Canada ; by the Board of Trade of the City of Toronto, and other cities ; by the employing printers of Canada ; by the typographical unions and printing pressmen's unions ; by the trades and labour councils (comprising representatives from the various trades) ; by the Booksellers' and Paper Makers' Association, and by many others.

The above reasons, amongst others, for the enforcement of the Copyright Act of 1889, were laid before Sir Mackenzie Bowell, the Premier of the Dominion of Canada, and Sir Charles Hibbert Tupper, the Minister of Justice, by an influential deputation of the Copyright Association of Canada, at Toronto, in February 1895.

Signed on behalf of the Copyright Association of Canada,

J. ROSS ROBERTSON, President.

DAN A. ROSE, Vice-President.

RICHARD T. LANCEFIELD, Hon. Secretary.

No. 95.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

MY LORD, Downing Street, April 8, 1895.

I HAVE the honour to request that you will inform Mr. R. T. Lancefield, hon. secretary-treasurer of the Copyright Association of Canada, that I have received his telegram of the 22nd ultimo and his letter of the same date* on the copyright question.

I have, &c.

RIPON.

No. 96.

THE EARL OF ABERDEEN to the MARQUESS OF RIPON.

(Received April 9, 1895.)

[*Answered by No. 101.*]

MY LORD, Government House, Ottawa, March 27, 1895.

WITH reference to your Lordship's Despatch of the 4th August last† relative to the desire of the Trustees of the British Museum to have copies of books to which copyright privileges are granted in Canada deposited in the Museum, I have the honour to enclose herewith copy of an approved Minute of the Privy Council, from which your Lordship will observe that it is the intention of Ministers to recommend to Parliament such an amendment of the present Copyright Act as shall meet the wishes expressed by the Trustees.

I have, &c.

ABERDEEN.

Enclosure in No. 96.

EXTRACT from a REPORT of the COMMITTEE of the Honourable the PRIVY COUNCIL, approved by His Excellency on the 25th March 1895.

THE committee of the Privy Council have had under consideration a Despatch, hereto attached, dated 4th August 1894, from the Marquess of Ripon, covering an application of the Trustees of the British Museum to be supplied with copies of Canadian copyright books.

The sub-committee of Council, to whom the matter was referred, state that under the Canadian Copyright Act (R.S.C., chapter 62), two copies of all books, maps, &c., upon which a copyright is sought, have to be deposited with the Department of Agriculture, one copy being kept in the Department of Agriculture, as of record, and the other copy deposited in the Library of Parliament, and if a copy is also to be supplied to the British Museum, the Copyright Act will have to be changed so as to make the deposit of three copies necessary.

* Nos. 93 and 94.

† No. 77.

The sub-committee observe that in England five copies of copyright book, &c. may have to be supplied, as, under the English Copyright Act, one copy of each copyright book, map, &c. is deposited in the British Museum, and, upon demand being made, copies have also to be supplied to the libraries of the Universities of Oxford, Cambridge, Trinity College, Dublin, and the Advocate's Library at Edinburgh.

It would not, therefore, seem to be too burdensome to ask applicants for copyright to supply three copies of the books, &c. for which copyright is sought instead of two as at present, while the deposit of Canadian books, &c. in the library of the British Museum would be the means of introducing the works of Canadian authors to the large and influential class of readers who frequent the library.

The sub-committee, under these circumstances, are of opinion that the advantage to Canadian authors, and to Canadian literature, of having Canadian books deposited in the library of the British Museum would more than counterbalance any extra cost that the deposit of three books instead of two books, as at present, would entail upon those applying for copyright, and therefore recommend that the Canadian Parliament be asked to amend the Copyright Act in the direction above indicated.

The committee advise that your Excellency be moved to forward a certified copy of this Minute, if approved, to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 97.

COLONIAL OFFICE to FOREIGN OFFICE.

[Answered by No. 100.]

EXTRACT.

Downing Street, April 9, 1895.

WITH reference to previous correspondence respecting the question of copyright in Canada, I am directed by the Marquess of Ripon to transmit to you, to be laid before the Earl of Kimberley, a copy of a letter,* from the Incorporated Society of Authors enclosing a copy of a petition from certain authors, publishers, and others, praying for the disallowance of the Canadian Copyright Act of 1889, together with draft of the reply,† which his Lordship proposes, if Lord Kimberley sees no objection, to return to the letter.

No. 98.

COLONIAL OFFICE to BOARD OF TRADE.

[Answered by No. 102.]

Downing Street, April 9, 1895.

SIR, WITH reference to previous correspondence respecting the question of copyright in Canada, I am directed by the Marquess of Ripon to transmit to you, to be laid before the Board of Trade, a copy of a letter* from the Incorporated Society of Authors enclosing a copy of a petition from certain authors, publishers, and others, praying for the disallowance of the Canadian Copyright Act of 1889, together with draft of the reply† which his Lordship proposes, if the Board of Trade see no objection, to return to the letter.

I am, &c.

EDWARD WINGFIELD.

No. 99.

COLONIAL OFFICE to BRITISH MUSEUM.

Downing Street, April 18, 1895.

SIR, WITH reference to your letter of the 18th of July last,‡ I am directed by the Marquess of Ripon to inform you that a Despatch has been received from the Governor General of Canada reporting that his Ministers intend to recommend to the Canadian Parliament such an amendment of the present Copyright Act as shall meet the wish expressed by the Trustees of the British Museum to have copies of those books to which copyright privileges are granted in Canada deposited in the Museum.

I am, &c.

JOHN BRAMSTON.

* No. 92.

† See No. 103.

‡ No. 76.

No. 100.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received April 19, 1895.)

EXTRACT.

Foreign Office, April 19, 1895.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 9th instant,* enclosing a letter from the Incorporated Society of Authors, covering a petition praying for the disallowance of the Canadian Copyright Act of 1889, together with the draft of the reply which it is proposed to return thereto, in the terms of which Lord Kimberley concurs.

No. 101.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

MY LORD,

Downing Street, April 20, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 27th ultimo,† enclosing copy of an approved Minute of the Privy Council, from which I learn that your Ministers are prepared to recommend to the Dominion Parliament such an amendment of the present Copyright Act as will meet the desire expressed by the Trustees of the British Museum to have deposited in the Museum copies of books to which copyright privileges are granted in Canada.

I have to request that you will convey to your Ministers an expression of my thanks for their ready compliance with my wishes in this matter.

I have, &c.

RIPON.

No. 102.

BOARD OF TRADE to COLONIAL OFFICE.

(Received April 23, 1895.)

Board of Trade (Railway Department),

7, Whitehall Gardens, London, S.W.

SIR,

April 22, 1895.

I AM directed by the Board of Trade to advert to your letter of the 9th instant,‡ transmitting copy of a letter from the Incorporated Society of Authors, enclosing copy of a petition from certain authors, publishers, and others, praying for the disallowance of the Canadian Copyright Act of 1889, together with a draft of the reply which the Secretary of State proposes to return to the letter in question.

In reply, I am to acquaint you, for the information of Lord Ripon, that the Board of Trade concur in the terms of the proposed answer to the Incorporated Society of Authors.

The draft reply is returned herewith.

I have, &c.

FRANCIS J. S. HOPWOOD.

No. 103.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

SIR,

Downing Street, May 11, 1895.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 20th March,§ forwarding a Petition from various authors, publishers, and others against the Canadian Copyright Act.

His Lordship will cause this Petition to be forwarded to the Dominion Government, who will, no doubt, give to the views expressed in it the consideration to which the names subscribed entitle it.

I am to observe, however, that the views expressed in the Petition go much further than those set forth in the previous letters on the subject to this Department from the Society of Authors, dated the 3rd of November 1890 and the 9th of December 1892.||

* No. 97.

† No. 96.

‡ No. 98.

§ No. 92.

|| Nos. 18 and 35.

The former communications, while criticising some details of the licensing provisions of the Act, which the Petition characterises as "unjust and impracticable," appeared to Her Majesty's Government to justify the conclusion that the Society of Authors did not entertain any insuperable objection to a system of licensed re-printing.

With regard to the Berne Convention, I am to observe that that instrument reserved the power of announcing at any time the separate denunciation of the Convention by Canada.

I am, &c.

JOHN BRAMSTON.

No. 104.

COLONIAL OFFICE to FOREIGN OFFICE and BOARD OF TRADE.

SIR,

Downing Street, May 16, 1895.

WITH reference to your letter of the $\frac{19\text{th}}{22\text{nd}}$ ultimo,* respecting the petition of the Society of Authors and others on the subject of Canadian Copyright, I am directed by the Marquess of Ripon to transmit to you, for the information of the Earl of Kimberley,
Board of Trade,
a copy of the reply† which has been returned to the petition.

I am, &c.

EDWARD WINGFIELD.

No. 104A.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

MY LORD,

Downing Street, May 18, 1895.

I HAVE the honour to transmit to you, for communication to your Ministers, a copy of a Petition‡ from various authors and others interested in the question of copyright on the subject of the Canadian Copyright Act of 1889.

I have informed the Society of Authors that their Petition has been referred to your Ministers, who will, no doubt, give it the consideration to which the influential names appended entitle it.

I have, &c.

RIPON.

No. 105.

THE SOCIETY OF AUTHORS to COLONIAL OFFICE.

(Received May 24, 1895.)

[Answered by No. 110.]

4, Portugal Street, Lincoln's Inn Fields, W.C.,

May 23rd, 1895.

SIR,

I BEG to acknowledge the receipt of your letter of the 11th instant,† which was brought under the attention of the Managing Committee of the Society of Authors at their last meeting. With respect to your reference to former communications from the former Chairman, Sir Frederick Pollock, regarding Canadian Copyright, I am directed to point out that it is only recently that the attention of British authors has been seriously directed to this question and that anything like a strong consensus of opinion has been formed about it.

* Nos. 100 and 102.

† No. 103.

‡ Enclosure in No. 92.

It is unquestionable that all British authors of any standing whatever prefer that copyright should, as far as possible, remain an Imperial matter, and that one system of legislation should control it throughout the British Empire at least and ultimately, if it were possible, throughout the English-speaking world. They view with alarm any tendency to multiply varieties of copyright legislation in different centres as likely in the highest degree to militate against their interests.

All Colonial Governments have proved their incapacity to collect any material fraction of duties or imported reprints. The Committee beg to call your attention to Section 193 of the Report of the Copyright Commission of 1878 as an instance of this. The figures there quoted are, unfortunately, not very recent, but the Society is endeavouring to get them, as far as possible, brought up to date, and thus far finds no record of any more encouraging returns. British authors, therefore, cannot but view with distrust any proposal involving the collection of their royalties by similar machinery. A member of the Committee himself saw at Hongkong hundreds of pirated reprints of Mrs. Humphrey Ward's novels publicly offered for sale, and authors have had to suffer similar injustice in many other parts of the British Empire. They further lay great stress upon the injurious effect likely to be produced in the United States by legislation of the kind proposed by Canada.

I am directed to forward, for your consideration, the accompanying documents:—

1. The Society's last memorandum upon the whole question.
2. Section 193 of the Report of the Copyright Commission of 1878.
3. Copies of letters from Mr. J. G. Ridout, of Toronto, dated respectively April 1895, and May 2nd, 1895.

I have, &c.

G. HERBERT THRING,
Secretary, Society of Authors (Incorporated).

Enclosure 1 in No. 105.

CANADIAN COPYRIGHT.

It is impossible to deal with the Canadian Copyright Act of 1889, or to estimate the effect it will produce if it is allowed to come into force, without in the first place shortly referring to the present position of Copyright, (a.) as an International, (b.) as an Imperial question.

I.—*International Copyright.*

(1.) The principal countries of Europe and, in fact, from a literary point of view, the principal countries of the world, with the exception of the United States, have at last, in the Berne Convention, recognised that the rights of an author in the fruit of his labour should be free from all conditions and restrictions whatsoever, except such as may be enforced by the laws of the country where it is first produced.

(2.) The United States of America, unfortunately, owing to political and trade pressure, have not been able to allow authors their full and just rights. Foreign authors can, however, under the Act of 1891, now obtain protection on the terms of printing their works in the States. The condition is unquestionably wrong and unfair in principle, but the recognition by the States of the rights of foreign authors is, even when subject to such a condition, of immense importance, especially to British authors.

Acceptance of the terms imposed does not imply a recognition of their justice and should not under any circumstances be allowed to be drawn into a precedent. On the other hand, we should be most careful to avoid doing anything which might imperil the recognition of the right of British authors which has been so hardly won from the United States of America. The Canadian Act if allowed to come into operation would, it is believed, lead to the withdrawal from British authors of the United States Act of 1891.

II.—*Imperial Copyright.*

The foundation of Imperial Copyright as it at present exists is to be found in the Act of 1842, which gives protection throughout the British dominions to every work which is first published in the United Kingdom.

The Colonies justly complained that under this Act a work which was published in a Colony had no copyright in the United Kingdom, or in any other Colony, but this grievance has been removed by the Act of 1886; a work published in a Colony now enjoys precisely the same protection as one first published in the United Kingdom.

III.—*Canadian Copyright as it exists at present.*

It was a common complaint of the Colonies, especially of Canada, that, owing to the operation of the Imperial Copyright Act, they were unable to obtain a sufficient supply of English literature. In order to remove this ground of complaint the Foreign Reprints Act was passed, and under its provisions Canada has been allowed to import pirated copies of English works on the undertaking that a duty of $12\frac{1}{2}$ per cent. should be collected by the Colony upon all such copies for the benefit of the author.

As a matter of fact, the duty has not been collected, nor has any serious attempt been made by Canada to comply with the undertaking.

In 1875 an Act was passed in Canada giving Copyright to foreign authors upon conditions of their re-publishing in the Colony, either simultaneously with, or at any time after, publication elsewhere. This Canadian Act was expressly authorised by an Act of the Imperial Legislature, and therefore the Canada printers and publishers contended that the Imperial Copyright Act was repealed so far as Canada was concerned, and that English authors could only obtain Copyright in Canada upon complying with the conditions of the Canadian Act.

This contention was, however, decisively negatived by the Canadian Courts, in the case of *Smiles v. Belford*, and the position therefore at present is that English authors are only obliged to republish in Canada if they wish to avoid the operation of the Foreign Reprints Act.

IV.—*Canada's present Proposals.*

The Canadian Copyright Act passed by Colonial legislature in 1889, but reserved for the sanction of the Imperial Government, provides that in order to obtain Copyright in Canada works must be registered with the Minister of Agriculture before or simultaneously with their first publication, wherever such publication takes place, and must be reprinted and republished in Canada within one month of their publication elsewhere, and (2) that if the author does not comply with these conditions, the Minister may grant licenses for the publication of the work, the licensee paying a royalty of 10 per cent. for the benefit of the author. This Act is promoted solely by, and in the interests of, the Canadian printers and publishers, who claim to have the right to make a profit out of the works of English authors.

The following are some of the reasons why the Act should not come into force:—

1. It is reactionary and contrary to the principle adopted by this country, after full consideration, in consenting to the Berne Convention. It would of course deprive the Canadian author of the benefit of that Convention.
2. It is an attempt to deprive authors of their recognized rights for the benefit of the Canadian printers and publishers.
3. It is (except from the view of the printer and publisher) entirely unnecessary. The Canadian reader is amply provided for under the Foreign Reprints Act.
4. It will involve the repeal, so far as British authors are concerned, of the United States Copyright Act, 1891, and the revival of legalised piracy in that country.
5. If it should by any chance accomplish its object, the actions of the Canadians will thus recoil on their own heads. Canada will again be flooded by pirated copies printed in the United States, and the last condition of the Canadian printers and publishers will be far worse than the first. The shortsightedness of the Canadian policy is almost incredible. It will involve the flooding of English and other markets with cheap reprints, to the great detriment of publishers who have to pay a fair price for the works they publish. It has been proved over and over again that legislation is powerless to prevent the importation of these cheap reprints.
6. Having regard to the entire failure of Canada to collect the duties under the Foreign Reprints Act, there is no security whatever that authors will receive even the 10 per cent. royalty provided by the Act.

A manifesto has been issued by the Canadian Copyright Association in support of the Act. The reasons given may be stated as follows :—

1. Canada has the right to legislate fully on Copyright—

Canada's right to legislate on Copyright is confined to the case of Canadian authors. She has no right whatever to take away from British authors their rights under the Imperial Acts. This was expressly decided by her own Courts in *Smiles v. Belford* and is the reason why she is now seeking the advice of the Imperial Legislature.

2. Copyright is analogous to patent right, and the Imperial Government did not disallow the Canadian Patent Act.

But, in the first place, copyright is *not* analogous to patent right. Copyright is given to the form only, not to the thought expressed. It does not prevent authors dealing with the same subject or idea. Patent right deprives the second inventor who has independently arrived at the same result of the profit of his labours. Patent right is a monopoly in restraint of other original inventions: Copyright is not. Secondly, the Canadian Copyright Act is not in the least on the same lines as the Canadian Patent Act. The Patent Act allows 12 months for obtaining a patent in Canada after one has been obtained in England, and a further 12 months for commencing to manufacture. This gives time to ascertain whether the market will warrant the outlay.

3. That under the present conditions the Canadian rights of English authors are included in the sale to United States publishers, to the injury of Canadian printers and publishers.

Here we have the true and only reason for the legislation. It is based on a fallacy. It is no injustice whatever to Canadian printers and publishers that British authors should be able to choose for themselves where and through whom they will print and publish their works. To be consistent, the Canadians should demand that no artists should have protection for their works except such as used paints and canvas made in Canada.

And the remedy is simple. English authors have to reprint in the United States. English publishers do not therefore demand protection or set up imaginary rights, but meet the difficulty in a business-like way. They set up branches in New York and Boston. Let the Canadians do the same. English authors, other things being equal, would rather deal with a Canadian publisher than an American, and let the Canadians join with us in endeavouring to obtain the removal of the unjust restrictions imposed by the United States legislation instead of endeavouring to perpetuate and extend them.

The real interests of British authors and Canadian publishers and printers in this matter are the same, and the latter are pursuing a most shortsighted and suicidal policy.

In any case, the English authors submit with some confidence that the Canadian proposals are not such as ought to receive the sanction or assistance of the Imperial Legislature.

Enclosure 2 in No. 105.

193. *Failure of Foreign Reprints Act.*—So far as British authors and owners of copyright are concerned, the Act has proved a complete failure. Foreign reprints of copyright works have been largely introduced into the Colonies, and notably American reprints into the Dominion of Canada, but no returns or returns, of an absurdly small amount, have been made to the authors and owners. It appears from official reports that during the 10 years ending in 1876, the amount received from the whole of the 19 Colonies which have taken advantage of the Act was only 1,155*l.* 13*s.* 2½*d.*, of which 1,084*l.* 13*s.* 3½*d.* was received from Canada; and that of these Colonies, seven paid nothing whatever to the authors, while six now and then paid small sums amounting to a few shillings.

Enclosure 3 in No. 105.

RIDOUT and MAYBEE, Solicitors of Home and Foreign Patents, Head Office, 103, Bay Street, Toronto, Canada.

DEAR SIR,

Toronto, April 1895.

I HAVE just read your excellent letter in the "Times" bearing on the question of Copyright, and I take the liberty of enclosing you a copy of the "Mail and Empire" of April 6th last, containing, on page 11, a copy of letter written by me on the subject from the authors and artists' standpoint, and from the standpoint of the interests of this country. It is only lately that I have taken this matter up, as I began to fear that this iniquitous Act of 1889 might become law. I trust that no effort will be spared to prevent the mother country from giving assent to this Act, which is far reaching in its evil effects.

I am surprised to find how dense is the ignorance on the matter in this country. Not a lawyer or a politician that I have yet spoken to either understands the matter, or, I believe, has taken the trouble to read the Act. Neither they, nor the authors, know anything about the Berne Convention, nor the rights which are being frittered away to pander to the greed of a few publishers in this country.

The fact is, that the late Sir John Thompson and his Government were held completely by the throat by a few publishers, a part of the press, and some tricky politicians or wire-pullers. The whole issue, in the usual manner of such controversy, is completely ignored by the publishers, and a howl is raised about not permitting Canada to pass Copyright laws of its own, and about flooding our market with American prints of English books. There is no other argument in favour of this Copyright Bill for publishers. A Copyright Act in the interests of printers is somewhat novel.

I propose to see different city members and to write further to the press and try and get up an opposition to the schemes of these publishers during the coming session of the House of Commons here which meets on the 8th of April next.

Yours, &c.

JOHN G. RIDOUT.

W. M. Conway, Esq.,
4, Portugal Street, Lincoln's Inn Fields,
London, England.

Enclosure 4 in No. 105.

DEAR SIR,

Toronto, May 2, 1895.

I AM in receipt of yours of the 23rd ultimo, and enclose you a speech of Senator Boulton's made a few days ago in our Senate. I had written to him before his speech and interested him in this matter. Although he is not quite correct in his statement, he is on the right line. I find that those Members of Parliament whom I have spoken to are absolutely ignorant of the whole matter, or the effect of the Copyright Amendment Act of 1889, and apparently take very little interest in it. I have also spoken to some of our leading lawyers and find that they know nothing about this Act of 1889, and that their attention has never been drawn to it. Two out of our three city members with whom I have spoken certainly know nothing whatever about the subject beyond that British authors' works may be printed in America and sent into Canada, which they think a hardship. As for any provisions of the Berne Convention in the interests of Canadian authors and artists, they know nothing about it.

I find on inquiry through a disgruntled member of the Canadian Copyright Association that the total number of members is about 25. It appears that more than one-half of these are not active members, and it may be safely said that there are less than half-a-dozen publishers who are creating the whole disturbance from deputations, from trades' and labour councils, &c. gathered from their own establishments, which we know are very easy to get up. Some of the members of the Canadian Copyright Association are neither printers, publishers, nor binders, and some of the principal firms in this city are either not members at all or inactive members of the Canadian Copyright Association. When it is considered that there are about 346 printing and publishing establishments throughout the Dominion and that there are less than half-a-dozen who are actively engaged in pushing this Act of 1889, the whole thing is really a farce about which the public here are not particularly concerned; but a few publishers have used the cry of Canada first, and the feeling of jealousy which arises from American houses sending British authors' works into Canada, to keep up a sort of spurious excitement.

These few greedy publishers have completely imposed upon the late Sir John Thompson and his Government. Instead of passing the Act of 1889, they should pass an Act to confirm the provisions of the Berne Convention as to Copyright.

Yours, &c.

JOHN G. RIDOUT.

G. Herbert Thring, Esq.,
Secretary, Society of Authors,
4, Portugal Street, Lincoln's Inn Fields,
London, England.

No. 106.

THE LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.

(Received June 1, 1895.)

CANADIAN COPYRIGHT.

[Answered by No. 108.]

Botolph House, Eastcheap, London, E.C.,

May 31, 1895.

MY LORD,

You will remember the deputation which waited upon you on the 26th of November 1894 from the London Chamber of Commerce, the Society of Authors, the Copyright Association, and the Printsellers' Association, in regard to the above question, at the time when it was being dealt with by the late Sir John Thompson. I understand that the question is now being revived, and that Mr. E. L. Newcombe, Deputy-Minister of Justice of the Dominion, is shortly coming to this country to confer with Her Majesty's Government on this subject. I am instructed by the Committee of this Chamber which is watching the question to apply to your Lordship, which I now do with the approval of the Council of the Chamber, requesting that, before any solution is arrived at by your Lordship, an opportunity may be given to representatives of copyright owners' interests in this country to be present at any conference or discussion on the subject which may take place with Mr. Newcombe.

I am, &c.

KENRIC B. MURRAY,

Secretary.

No. 107.

THE COPYRIGHT ASSOCIATION to COLONIAL OFFICE.

(Received June 6, 1895.)

[Answered by No. 108.]

Aldine House, Belvedere, Kent,

June 5, 1895.

MY LORD MARQUESS,

As the "Times" announces that Mr. E. L. Newcombe, Deputy Minister of Justice at Ottawa, is about to visit England to confer with Her Majesty's Government on the Imperial Law of Copyright as it affects Canada, and as the subject is one of great practical importance to Copyright-owners, and most seriously affects their interests, I write on behalf of the Copyright Association, which is identified with more than half the British copyrights in existence, to ask your Lordship to allow it to be represented, and to take part in the conference when and wherever it may be held.

I have, &c.

F. R. DALDY,

Hon. Secretary.

No. 108.

COLONIAL OFFICE to the LONDON CHAMBER OF COMMERCE
and the COPYRIGHT ASSOCIATION.

SIR,

Downing Street, June 12, 1895.

IN reply to your letter of the $\frac{31\text{st ultimo}^*}{5\text{th instant}}$, I am directed by the Marquess of

Ripon to acquaint you that this Department has received no official intimation of the appointment of Mr. E. L. Newcombe to discuss the question of Canadian copyright with Her Majesty's Government nor of that gentleman's arrival in this country.

* Nos. 106 and 107.

I am to add that Her Majesty's Government consider it desirable that any discussions which may be held with a representative of the Dominion Government on this subject should be private, and that it will not, therefore, be possible to admit a representative of the London Chamber of Commerce, but that any further representations which that Copyright Association, body may desire to make before a decision is arrived at will receive full consideration.

I am, &c.

JOHN BRAMSTON.

No. 109.

THE EARL OF ABERDEEN to the MARQUESS OF RIPON.
(Received June 19, 1895.)

MY LORD,

Government House, Ottawa, June 5, 1895.

I HAVE the honour to enclose herewith copy of an approved Minute of the Privy Council from which your Lordship will learn that, in accordance with the suggestion contained in your Lordship's Despatch of the 15th March last,* Ministers have authorized Mr. E. L. Newcombe, Q.C., Deputy Minister of Justice, to proceed to London to discuss the copyright question with Her Majesty's Government.

I have, &c.
ABERDEEN.

Enclosure in No. 109.

EXTRACT from a REPORT of the COMMITTEE of the HONOURABLE THE PRIVY COUNCIL,
approved by his Excellency on the 30th May 1895.

The Committee of the Privy Council have had under consideration a Despatch, hereto attached, dated the 15th of March 1895, from the Marquess of Ripon, with regard to the Canadian Copyright Act, which Act, and the correspondence relating thereto, the late Sir John Thompson proposed to discuss with Her Majesty's Government during his last visit to England.

The Ministers of Justice and of Agriculture, to whom the said Despatch was referred, observe that Lord Ripon states that previous communications and correspondence have failed so far to bring about even an approximation of view between Her Majesty's Government and the Government of Canada; that no result appears likely to be gained by further controversial correspondence, and that the only course which seems to offer any prospect of solution is, that, as soon as convenient, one of your Excellency's Ministers, or some other gentleman duly authorized by them, and thoroughly conversant with the subject, should proceed to London and discuss the matter personally with Her Majesty's Government.

The Ministers, in these circumstances, and considering the important interests which are at stake in Canada, and which have been and are suffering by the delay which has already been incurred in arriving at a conclusion of this question, approve of the course suggested; and, inasmuch as it would be impracticable, owing to the present sitting of Parliament and other considerations for one of your Excellency's Ministers to undertake the proposed conference at present, they (the Ministers of Justice and Agriculture) recommend that Mr. Edmund L. Newcombe, Q.C., the Deputy Minister of Justice, be authorized to proceed to London and confer with the representative of Her Majesty's Government upon the subject.

The Committee submit the foregoing for your Excellency's approval, and they advise that your Excellency be moved to forward a certified copy of this minute to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies.

JOHN J. McGEE,
Clerk of the Privy Council.

* No. 91.

No. 110.

COLONIAL OFFICE to the SOCIETY OF AUTHORS.

SIR,

Downing Street, June 20, 1895.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your further letter of the 23rd ultimo,* enclosing a memorandum setting forth in detail the objections of the Society of Authors to the Canadian Copyright Act of 1889.

As you are aware, a delegate of the Dominion Government is about to visit this country to discuss this question with Her Majesty's Government, and his Lordship will take care that the objections of your Society receive full consideration.

I am, &c.

EDWARD FAIRFIELD.

No. 111.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

MY LORD,

Downing Street, June 20, 1895.

WITH reference to my Despatch of the 18th of May,† I have the honour to transmit to you, for the consideration of your Ministers, copies of further correspondence‡ with the Society of Authors, respecting the Canadian Copyright Act of 1889.

I have, &c.

RIPON.

No. 112.

THE MARQUESS OF RIPON to the EARL OF ABERDEEN.

TELEGRAPHIC.

(Sent June 24, 1895.)

Your Despatch 5 June§; Mr. Newcombe had better not take his passage immediately. Discussion cannot conveniently take place until new Government have completed arrangements. Will telegraph later.

* No. 105.

† No. 104A.

‡ Nos. 105 and 110.

§ No. 109.

FURTHER CORRESPONDENCE

BETWEEN

SIR CHARLES TUPPER AND SIR JOHN PENDER

ON THE SUBJECT OF A

PROPOSED PACIFIC CABLE.

(In continuation of Correspondence printed in [C. 7553], August 1894.)

Presented to both Houses of Parliament by Command of Her Majesty.
12th February 1895.



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1895.

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COLONIAL CONFERENCE, 1894.

FURTHER CORRESPONDENCE

BETWEEN

SIR CHARLES TUPPER AND SIR JOHN PENDER

ON THE SUBJECT OF A

PROPOSED PACIFIC CABLE.

(In continuation of Correspondence printed on pp. 367–371 of [C. 7553], August 1894.)

SIR CHARLES TUPPER to COLONIAL OFFICE.

SIR,

Victoria Chambers, 17, Victoria Street,
London, S.W., December 12, 1894.

I HAVE observed that in the recently issued Parliamentary Paper [C. 7553] relating to the Colonial Conference at Ottawa, a letter from Sir John Pender to the Marquess of Ripon, dated the 2nd June, 1894, enclosing certain correspondence between him and myself, is printed (pages 367–371).

After the date of that communication, however, a further correspondence took place between Sir John Pender and myself on the subject at issue, which should be read in conjunction with that presented to Parliament in the Bluebook referred to.

I therefore beg to enclose, herewith, a copy of this later correspondence for the information of Lord Ripon, and for publication if his Lordship sees no objection.

I am, &c.

CHARLES TUPPER.

Enclosure No. 1.

Sir CHARLES TUPPER to Sir JOHN PENDER.

Office of the High Commissioner for Canada,
17, Victoria Street, London, W.C.,
June 4, 1894.

DEAR SIR JOHN PENDER,

IN reply to your letter of the 30th of May, I beg to remind you that we joined issue on the following points:—

- 1st. Whether the “existing service was established solely by private enterprise.”
- 2nd. Whether the life of a cable is 14 years.
- 3rd. Your assertion that my “description of the existing system as a monopoly cannot be justified.”
- 4th. That a Pacific cable has no strategic value.

I respectfully submit that the admission that the “existing service” has already received Government subsidies exceeding 2,000,000*l.* settles the first issue.

You reject the authority of the Berne list, for the accuracy of which I supposed you were responsible, quoted by me in support of my contention as to the life of a cable, but you have not met my quotation from a recent speech of your own, which showed the life of a cable to be nearer 25 years. Permit me to quote the further evidence of another high authority on that question—your late colleague, Sir James Anderson—who was knighted for laying the first successful cable between England and America. In October 1886, at a meeting of the Direct Spanish Telegraph Company, Sir James Anderson, presiding, said: “They estimated the life of the Barcelona cable at 25 years.” It had then been in operation 13 years, and great improvements have been made in the manufacture of cables since the Barcelona cable was constructed. I think I may now fairly consider the second part of our controversy disposed of.

As to the "monopoly" question, you intimate that Mr. Raikes was misled by Mr. Fleming. I will now give you an authority which I am sure you will respect, for it is your own. I find the following statements in a letter written by you to Sir Henry Holland, dated 18th April, 1887: "If reference is made in any way to the existing companies as a monopoly, my answer is that it has been so created by the great energy with which the company have carried on their extensions I would also draw your attention to the fact that, while it has been made a monopoly through the circumstances I have stated, &c." While this public record remains, you will, I imagine, hardly repeat the statement that I am not justified in considering the "existing system as a monopoly."

As to the question of the strategic value of a Pacific cable, not only the "Globe," from which I quoted, but the Press generally of this country, of Australasia, and Canada, have been emphatic in their declarations in opposition to your views, nor can I see how any disinterested man can hold any other opinion. The cable communication between this country and India and Australasia passes through several foreign countries, and in the contingency of a European war could not be relied on.

You say, in reply to the statement in the "Globe," that, in the case of your cable between Aden and Bombay being injured, communication with India would be interrupted, that you have three other routes practically under your control. I suppose the three routes you refer to are those given in the official maps of the International Bureau:—

1st. Through Russia, Siberia, Japan, and China.

2nd. Through Germany, Russia, and Persia to Kurrachee.

3rd. Through Constantinople and the Euphrates Valley to Kurrachee.

I am not aware that these long overland lines are under the control of the Eastern Telegraph Company.

For Imperial purposes, the first and second routes present insuperable difficulties, and I do not think that your experience in telegraphy with India will lead you to consider as reliable the Euphrates Valley Line, which belongs to the Turkish Government and passes through a country bristling with physical difficulties, rendering the maintenance of good communication almost impossible. You must, however, admit that, if the Indian land wires in the neighbourhood of Kurrachee and Bombay were interrupted, all communication by telegraph between these towns and Calcutta, Madras, and Australia would require to be transmitted to Europe for re-transmission through the only remaining route open to the East, viz., through Russia, Siberia, Japan, and China. An all-British line, *via* Canada to Australia, remote from any hostile influence, might at any moment, therefore, become vital to the best interests of the Empire. As to the financial prospects of this enterprise, I am glad to find that you have revised the estimate you submitted to Lord Ripon in April, and now make the deficit 48,000*l.* instead of 120,000*l.*, at which you then stated it. I beg to suggest that if you will place the amortization of the cable at 25 years, and add the receipts of the large volume of United States and Canadian traffic that will be created by a Pacific cable, and make fair allowance for the usual increase of traffic, your latest calculation will be considerably modified. Allow me to add that your adherence to 14 years as the life of the cable in order to show the scheme financially impracticable will, in my opinion, convince many persons that the enterprise cannot be condemned by fair calculations.

I remain, &c.

CHARLES TUPPER.

Sir John Pender, G.C.M.G., M.P.

P.S.—I am sending this letter to "The Times."

Enclosure No. 2.

Sir JOHN PENDER to Sir CHARLES TUPPER.

The Eastern Extension, Australasia, and China Telegraph
Company, Limited,

Winchester House, 50, Old Broad Street,

DEAR SIR CHARLES TUPPER,

London, E.C., June 6, 1894.

I HAVE received your letter of the 4th instant, from which it is quite clear that our views on the Pacific cable question are so divergent that no practical purpose will be served by continuing the correspondence any longer.

But before closing it permit me to briefly deal with the principal points raised in your last letter, and to express the hope that the facts and figures which have been elicited by the correspondence may be found useful to the Ottawa Conference, and more particularly to the investing public, who will eventually have to decide the question, if it is to take a practical shape.

With regard to the first point, I think any unprejudiced person reading my previous letter will have been convinced that the pioneer service to Australia was established solely by private enterprise, and that the Government subsidies granted years afterwards for an entirely different purpose have no bearing on the argument.

As to the second point, it is true that there are cables still working which were laid 25 years ago; but, on the other hand, many cables equally well manufactured and laid, have been known to require entire renewal in as short a time as 12 to 17 years after they have been submerged. In short, the life of a cable is notoriously uncertain, depending very largely on the locality and nature of the bottom over which it is laid, and it is therefore impossible to accurately measure such an unknown quantity. I have never, however, asserted that a Pacific cable would last only 14 years. All I have done is to base my calculation for amortization on the period fixed by the Wellington Conference for the proposed guarantee—viz., 14 years.

If, however, we take 20 years, which is the more usual period for subsidy or guarantee arrangements of this kind, as the basis of calculation, the financial result to an investor would still be most disappointing, as shown by the following figures:—

	£
Capital - - - - -	1,800,000
Working Expenses - - - - -	£25,000
Maintenance - - - - -	35,000
	£60,000
Amortization to replace Capital at end of 20 years -	67,000
	127,000
Less earnings estimated on basis of one-half existing traffic - - - - -	45,000
Four per cent. guarantee - - - - -	72,000
	117,000
Leaving an actual loss to investors of - - -	10,000

And if the Pacific cable were duplicated, which I contend would be absolutely necessary to make it a successful competitor to the existing system, the loss would, of course, be immensely greater.

When writing to Sir Henry Holland the letter to which you refer, I was endeavouring to meet objections raised by opponents to the strong position which we had built up, and which had been described as a monopoly. As a matter of fact, our control of the Australian traffic has never depended on the possession of exclusive privileges, which alone would constitute a monopoly in the strict sense of the word, but it has been the result of good businesslike work carried out on strictly economical principles.

As to the strategic question, I can only express surprise that you should think a Pacific cable would be safer in time of war than the existing cables, which follow the principal trade routes, where British war vessels would presumably be found in far greater force than in such a remote region as the Pacific Ocean.

The three alternative routes which I had in mind when referring to the "Globe" article were:—

1. The cables from England to Aden round the coast of Africa.
2. The Indo-European Company's system.
3. The Great Northern Company's system.

With the Indo-European and Great Northern Companies we have working agreements, and the first-named route is, to a large extent, owned by the Eastern Company.

With regard to your last point, the only difference between the figures submitted to Lord Ripon and those given in my letter of the 30th ultimo* is that in the one case the deficit includes four per cent. interest on capital and in the other the deficit is shown without interest. But the practical result to an investor is precisely the same, and with such figures before you I would again ask whether you would be prepared to put your name to a prospectus inviting subscriptions from the public for such an unprofitable scheme.

* Page 370 of C. 7553.

Having now answered your letter, the correspondence must cease, as your time and mine is much too valuable to be taken up with an academic discussion of this kind. If, however, the question should take a more definite shape, I shall be happy to resume the discussion with a view to arriving, if possible, at a practical result.

Yours faithfully,
JOHN PENDER.

To the Honourable Sir Charles Tupper, Bart.,
G.C.M.G., C.B.

Enclosure No. 3.

SIR CHARLES TUPPER to SIR JOHN PENDER.

Office of the High Commissioner for Canada,
17, Victoria Street, London, S.W.,

June 8, 1894.

DEAR SIR JOHN PENDER,

I AM not surprised to find by your letter of the 6th instant that you wish to close the correspondence which you initiated, and I cannot help thinking that those who have followed it will wonder why it was ever commenced. I am quite satisfied to leave all the questions at issue to the judgment of the public. Your admission that the "existing service" has already received over 2,000,000*l.* of Government subsidies; that the life of a cable may fairly be estimated at 20 years; and that you are responsible for the statement that the existing service to Australasia is a "monopoly" is very satisfactory to me. I am also glad that I have been able to induce you again to revise your estimate. In reply to your question, I venture to suggest that capitalists will not be influenced in this matter by your opinion or mine, as their decision will depend upon the action of the Governments of the United Kingdom, Australasia, and Canada.

Yours faithfully,
CHARLES TUPPER.

Sir John Pender, G.C.M.G., M.P.

OTTAWA CONFERENCE, 1894.

DESPATCHES

FROM THE

SECRETARY OF STATE FOR THE COLONIES,

ON

QUESTIONS OF TRADE AND COMMERCIAL
TREATIES.

In continuation of [C.—7553], August 1894.

Presented to both Houses of Parliament by Command of Her Majesty.
6th July 1895.



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1895.

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No. 1.

**The Marquess of Ripon to the Governor-General of Canada, the
Governors of the Australasian Colonies (except Western
Australia), and the Governor of the Cape.**

MY LORD,

SIR, Downing Street, June 28, 1895.

IN my despatch of the 13th of December last I transmitted to you copies of the Report of the Earl of Jersey, G.C.M.G., on the proceedings at the Colonial Conference at Ottawa, together with copies of the proceedings of the Conference.

2. Since then the questions discussed at the Conference have been under the consideration of the various Departments specially concerned, and I am now in a position to place you in possession of the general views of Her Majesty's Government on the questions which formed the subject of the three Resolutions classed together by Lord Jersey as dealing with trade relations.

3. The first two of these Resolutions have for their object the repeal of legislation and the cancelling of treaty stipulations which, in the opinion of the Delegates, obstruct the realisation of the policy indicated in the third Resolution, and it may be convenient that I should in the first instance explain the views of Her Majesty's Government with regard to that policy before discussing the first two Resolutions.

4. The third Resolution declares that: "Whereas the stability and progress of the British Empire can be best assured by drawing continually closer the bonds that unite the Colonies with the Mother Country, and by the continuous growth of a practical sympathy and co-operation in all that pertains to the common welfare:

"And whereas this co-operation and unity can in no way be more effectually promoted than by the cultivation and extension of the mutual and profitable interchange of their products:

"Therefore resolved: That this Conference records its belief in the advisability of a Customs arrangement between Great Britain and her Colonies by which trade within the Empire may be placed on a more favourable footing than that which is carried on with foreign countries.

"Further resolved: That until the Mother Country can see her way to enter into Customs arrangements with her Colonies it is desirable that, when empowered so to do, the Colonies of Great Britain, or such of them as may be disposed to accede to this view, take steps to place each other's products in whole or in part on a more favoured Customs basis than is accorded to the like products of foreign countries.

"Further resolved: That for the purposes of this Resolution the South African Customs Union be considered as part of the territory capable of being brought within the scope of the contemplated trade arrangements."

5. With the preamble of this Resolution the feeling, not only of Her Majesty's Government, but of the entire population of this country, is, I need not say, in hearty sympathy—a sympathy to which no proposal clearly tending to promote the stability and progress of the Empire can appeal in vain.

6. The unanimity of sentiment which prevailed throughout the Conference on this point has been noted with pleasure by Her Majesty's Government, and it is with regret, therefore, that they feel compelled to express a grave doubt whether the fiscal policy the principle of which was adopted by the majority of the Conference, as a means of securing this object, is really calculated to promote it.

7. The Resolution does not advocate the establishment of a Customs Union comprising the whole Empire, whereby all the existing barriers to free commercial intercourse between the various members would be removed, and the aggregate Customs revenue equitably apportioned among the different communities. Such an arrangement would be in principle free from objection, and, if it were practicable, would certainly prove effective in cementing the unity of the Empire and promoting its progress and stability. But it was unanimously recognised by the Delegates that the circumstances of the Colonies make such a union, for the present, at any rate, impossible; and it is, therefore, unnecessary to discuss the practical difficulties which stand in the way of its realisation.

8. The actual proposition is something essentially different, namely, the establishment of differential duties in this country in favour of Colonial produce, and in the Colonies in favour of the produce of the Mother Country. Commercial intercourse within the Empire is not to be freed from the Customs barriers which now impede it, but new duties, confined to foreign goods, are to be imposed where none exist at present, and existing rates of duty, now of impartial application, are to be either increased as against foreign trade or diminished in favour of British Colonial trade.

9. It was generally recognised at the Conference that this policy involves a complete reversal of the fiscal and commercial system which was deliberately adopted by Great Britain half a century ago, and which has been maintained and extended ever since. By a consistent adherence to this system one duty after another has been swept away in this country, until, at the present day, the few import duties remaining are retained, either for revenue purposes alone on articles not produced here, or in order to protect the Excise revenue.

10. A differential duty is open to all the objections from the consumer's point of view which can be urged against a general duty, and, while it renders necessary the same restrictions on trade, it has the additional disadvantage of dislocating trade by its tendency to divert it from its regular and natural channels.

11. These general objections to the policy advocated are sufficiently serious, and there are others, no less serious, which flow from the existing conditions under which the trade of the Empire is distributed.

12. Assuming that the preference aimed at by the Resolutions is given in the way most favourable to trade, namely, by the partial remission of existing duties in favour

of British and Colonial goods, rather than by an increase of duties on foreign goods (coupled with the imposition of duties on goods of foreign origin now admitted free which compete with British and Colonial produce), it is obvious that, as the total trade of the Empire with foreign countries far exceeds the trade between the various members constituting the Empire, the volume of trade upon which taxation is to be placed exceeds the volume which would be partially relieved. The result would not only necessitate increased taxation but would involve a serious net loss of trade, the burden of which in both cases would fall with greatest severity on those parts of the Empire which have the largest proportion of foreign trade, and the loss to these parts would more than outweigh the gain to the other parts.

13. On closer examination it would appear that the material results of the proposal would be even more prejudicial than appears from the general statement of its more obvious results. In the case of this country, the bulk of the imports from foreign countries and almost the whole of our imports from the Colonies consists of food or raw materials for manufacture.

14. To impose a duty on food means at once a diminution of the real wages of the workman. If, in addition to this, a duty were imposed on raw materials, a further encroachment would have to be made on wages to enable the manufacturer to compete with his rivals in countries where there are no such duties.

15. The Honourable Mr. Foster, in his speech introducing the motion now under review, drew a vivid picture of the vigorous and unrelenting competition which the British manufacturer has to meet in the markets of the world; and, if he somewhat over-estimated the results of that competition, there can be no question as to the fact that in many branches of trade in which Great Britain once held a distinct superiority other nations now compete on equal terms. In so far, then, as the British manufacturer failed to shift the burden of any duty on food and raw materials on to wages he would be at a disadvantage in the open markets of the world, and the remission in the Colonies of part of the duty in his favour would scarcely place him on level terms with his foreign competitor even there.

16. It must not be forgotten, moreover, that at present about one-fourth of the export trade of this country consists of foreign and Colonial produce, and that the imposition of duties on foreign produce would involve an enormous immediate outlay for the extension of bonding facilities, and the necessary charges for their use and maintenance. The result would be to place such obstacles in the way of this trade that its transference elsewhere would speedily take place, goods which this country now receives for re-export being sent direct to their market, or through some other entrepôt where they would not be subjected to such disabilities. Thus the position of this country as the great market of the world, already threatened, would be destroyed.

17. These changes could not fail to seriously injure our important carrying trade and to react injuriously on every industry in the United Kingdom.

18. On the other hand the gain to the Colonies, whatever it might be, would, even at first, be altogether incommensurate with the loss to the Mother Country. And it is

improbable that there would be any permanent gain, for, apart from the general loss of purchasing power, due to the fall in wages and profits resulting from the imposition of duties, it is obvious that the reduction of our imports from foreign countries would be followed by a reduction in our exports to them, no inconsiderable part of which consists of Colonial produce imported in a crude state and more or less manufactured in this country. The demand, therefore, for Colonial produce, even with the preferential advantage proposed to be allowed to it, would not be likely to increase, and the price obtained for it would, therefore, not be ultimately enhanced.

19. If the differentiation is to be confined to some specified articles, the difficulties of arriving at an equitable arrangement would be in no way diminished. Some of these difficulties were clearly pointed out by the representatives of New South Wales, Queensland, and New Zealand, in the course of the discussion, and no practical standard was suggested by which the value of the concessions to be made on each side could be tried or adjusted. These would obviously vary according to the number of Colonies sharing in the arrangement and many other circumstances, and, as the people of this country and those of the Colonies would approach the consideration of the question from entirely different points of view, a satisfactory agreement would seem almost impossible. To this country it would mean a possible increase of revenue for a period, but at the same time a serious curtailment of trade, with loss of employment and enhanced price of food and other necessities, and it would, in the main, be judged by its effect on our commerce and on the condition of the people.

20. To the Colonies, on the other hand, it would in the first instance mainly present itself as a question of revenue. A remission of duty on the bulk of their imports would involve an entire readjustment of their fiscal system, requiring the resort to increased direct taxation or other means, and though there might be at first an increase in the price of their produce imported into this country, the revenue difficulty would probably appeal to them most strongly.

21. A consideration of these practical difficulties, and of the more immediate results above indicated, of a system of mutual tariff discrimination, has convinced Her Majesty's Government that, even if its consequences were confined to the limits of the Empire, and even if it were not followed by changes of fiscal policy on the part of foreign Powers unfavourable to this country, its general economic results would not be beneficial to the Empire. Such duties are really a weapon of commercial war, used as a means of retaliation, and inflicting possibly more loss on the country employing it than on the country against which it is directed, and which would not be likely to view them with indifference.

22. Foreign countries are well aware that the Colonies differ in their fiscal policies and systems from the Mother Country and each other, and if a policy of the kind advocated were adopted, our foreign rivals would not improbably retaliate, with results injurious to the trade of the whole Empire.

23. In the course of the discussion at the Conference the opinion was generally expressed that, although in present circumstances, while so large a proportion of the

trade of Great Britain is with foreign countries, the arrangement might scarcely be acceptable to this country, the Colonial trade of Great Britain increases so much faster than the foreign that the conditions and proportions would be reversed at no very distant date, and the arguments now urged against the policy of the Resolution would no longer be regarded as valid.

24. As a matter of fact, however, the proportion of the colonial trade of this country to its foreign trade is very nearly the same now as it was forty years ago.* The development of external trade does not always keep pace with the growth of population, more especially when it is subject to tariff restrictions either avowedly or incidentally protective, and although the Colonies have much room for expansion in the matter of population, and English capital has flowed into them, perhaps more freely than into foreign countries, there is at present no appearance of any sustained alteration in the relative proportions of foreign and colonial trade. But even if those proportions were reversed, Her Majesty's Government are convinced that the evil results of a preferential policy would be mitigated only slightly, although they might fall with less severity on this country and with greater severity on the Colonies than would be the case under existing circumstances.

25. I have dealt with this question at some length, because the strong support which the proposal met with from the majority of the representatives at the Conference entitles it to the fullest consideration, and renders it desirable to set forth the reasons which have satisfied Her Majesty's Government that it would fail to secure the object aimed at—namely, the stability and progress of the Empire.

26. I now pass to the second part of the Resolution, which urges "That until the Mother Country can see her way to enter into Customs arrangements with the Colonies, the Colonies should take steps to place each other's products in whole or in part on a more favoured Customs basis than is accorded to the like products of foreign countries."

This resolution raises somewhat different issues from the preceding one. At first sight it would appear that this was a matter in which only the Colonies making such arrangements are themselves concerned, and that as Her Majesty's Government have allowed the Colonies full liberty to frame their fiscal systems with the view, if they think fit, of protecting their local industries, there can be no objection to their making arrangements to extend a somewhat similar protection or preference to those of a sister Colony.

* Comparisons are only possible since 1854. For the five years, 1854–58, the total imports into this country were 820,904,330*l.*; the imports from British possessions being 195,556,990*l.*, or 23·8 per cent. of the whole. During the five years 1889–93 the total imports were 2,112,252,916*l.*, and the imports from British possessions were 482,427,761*l.*, or 22·8 per cent. of the whole. The total exports during 1854–58 were 657,699,825*l.*, and the exports to British possessions 186,056,817*l.*, or 28·3 per cent. of the whole. During the period 1889–93 the total exports from this country were 1,521,736,951*l.*, of which the exports to British possessions were 438,491,542*l.*, or 28·8 per cent. Taking imports and exports together, the trade of this country with British possessions in the earlier of the two periods formed 25·8 per cent. of the total, and in the later 25·3 per cent.

27. It must be remembered, however, that the primary object of a differential duty is a diversion rather than an increase of trade, and that as the proportion of the external trade of most of the Colonies which is carried on with foreign countries is insignificant compared with that carried on with the Mother Country and other parts of Her Majesty's dominions it will be difficult for one Colony to give a preference in its markets to the trade of another solely at the expense of the foreigner, and without at the same time diverting trade from the Mother Country or from sister Colonies which may not be parties to the arrangement.

28. Serious injury might thus be inflicted on the commerce of a neighbouring Colony, and unfriendly feelings generated, which might provoke retaliation, and would in any case estrange the Colonies concerned in a manner which would not conduce to the great aim which the Conference had in view throughout.

29. Any agreement for reciprocal preferential treatment between two Colonies will, therefore, require careful consideration in regard to its probable effect on the commerce of the rest of the Empire, and although Her Majesty's Government have the fullest confidence that the loyalty and good feeling happily prevailing between the various parts of the Empire would prevent one Colony seeking an advantage to itself which could only be gained at the serious prejudice of other parts of Her Majesty's dominions, it is impossible for them to relieve themselves of their responsibility in regard to the general interests of the Empire in such a matter.

30. The last part of the Resolution, which urges "That for the purposes of this resolution the South African Customs Union be considered as part of the territory capable of being brought within the scope of the contemplated trade arrangements," opens, as Lord Jersey has remarked in his Report, a prospect of additional complication.

31. The Orange Free State is a party to that arrangement, and if a Colony outside South Africa were to extend to the produce of that State preferential terms granted to the produce of the Cape Colony, Her Majesty's Government might, unless the same terms were extended to all countries entitled to most-favoured-nation treatment in that Colony, be involved in a serious controversy with those countries.

32. Having now indicated generally the views of Her Majesty's Government on the policy advocated by the Conference, I turn to the Resolutions which urge the removal of such obstacles, arising from legislation or Treaty, as impede the carrying out of that policy.

The only legislative obstacle to such arrangements as are contemplated by the Resolutions is the clause in the Constitution Acts of the Australian Colonies prohibiting the imposition of differential duties. After full consideration Her Majesty's Government decided that, however much such duties might be inconsistent with the fiscal policy of this country, they should not, in so far as such duties can be imposed without breach of Her Majesty's Treaty obligations and without detriment to the unity of the Empire, interfere with the discretion of the Colonies in the matter. Parliament has, therefore, on the initiative of Her Majesty's Government, agreed to relieve the Australian Colonies of the special disabilities under which they were placed by the

operation of their Constitution Acts, and, in consequence, has passed the Act of which copies are enclosed,* repealing the provisions referred to, and that Act has now received Her Majesty's assent.

33. In the case of the Colonies of New South Wales and Victoria, section 45 of the Constitution Act of the former and section 43 of the Constitution Act of the latter also prohibit the imposition of differential duties, but as the repeal of these provisions is now a matter within the competence of the local legislatures, Her Majesty's Government leave it to them to take the necessary action.

34. While, however, Parliament has thus removed all legislative restrictions on the Colonies, so far as Imperial legislation is concerned, it will be necessary, in order that Her Majesty's Government may be in a position to give effect to their responsibility for the international obligations of the Empire, and for the protection of its general interests, that any Bill passed by a Colonial Legislature providing for the imposition of differential duties should be reserved for the signification of Her Majesty's pleasure, so as to allow full opportunity for its consideration from these points of view.

35. For this reason and in order to prevent inconvenience it will be desirable, if such duties are included in a General Tariff Bill, that a proviso should be added that they are not to come into force until Her Majesty's pleasure has been signified.

36. I may here point out that any Act such as that passed by the Legislature of New Zealand in 1870, which proposed to enable the Governor of the Colony in Council to suspend or modify any of the duties imposed by the Customs Duties Acts of the Colony, in accordance with any inter-colonial agreement, besides being open to grave objection on constitutional grounds, would deprive Her Majesty's Government of any opportunity of considering such agreements, and unless, therefore, the articles to which the power should apply and the extent to which remission might be granted were specified, Her Majesty's Government would have grave doubts as to the propriety of advising Her Majesty to assent to such an Act. They trust, therefore, that the Colonial Legislatures will not seek to divest themselves in any measure of their power to fix the amount of their taxation, nor to confer on the Executive a power the exercise of which without the fullest deliberation might inadvertently give rise to serious complications not only with other Colonies but with foreign Powers.

37. The second Resolution states "That this Conference is of opinion that any provisions in existing Treaties between Great Britain and any foreign Power, which prevent the self governing dependencies of the Empire from entering into agreements of commercial reciprocity with each other or with Great Britain should be removed." The Treaties aimed at by this Resolution are the Commercial Treaties between this country and Germany and Belgium.

38. The particular Articles of these Treaties which might give rise to difficulties in regard to preferential arrangements between the various portions of the British Empire are as follows :—

* Australian Colonies Duties Act, 1895, 58 & 59 Vict. cap. 3.

BELGIUM, ARTICLE XV.

“Articles the produce or manufactures of Belgium shall not be subject in the British Colonies to other or higher duties than those which are or may be imposed upon similar articles of British origin.”	“Les produits d’origine ou de manufacture belge ne seront pas grevés dans les Colonies Britanniques d’autres ou de plus forts droits que ceux qui frappent ou frapperont les produits similaires originaires de la Grand Bretagne.”
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The English and French texts are both given, as there is a shade of distinction in the translation of the word “British.”

ZOLLVEREIN (German Empire).

ARTICLE VII.

“The stipulations of the preceding Articles I. to VI.” (they contain the whole Treaty) “shall also be applied to the Colonies and Foreign Possessions of Her Britannic Majesty. In those Colonies and Possessions the produce of the States of the Zollverein shall not be subject to any higher or other import duties than the produce of the United Kingdom of Great Britain and Ireland, or of any other country of the like kind; nor shall the exportation from those Colonies or Possessions to the Zollverein be subject to any higher or other duties than the exportation to the United Kingdom of Great Britain and Ireland.”

39. It is to be observed that any advantages which might be granted by Great Britain to either Belgium or Germany in virtue of these particular stipulations must also be extended to various other countries under the ordinary most-favoured-nation clauses in existing Treaties. If, however, Article XV. of the Belgium Treaty and Article VII. of the Zollverein Treaty were no longer in force, there are no stipulations of a similar character in any other Treaty concluded by this country and now in force which could give rise to the same difficulties.

40. The general effect of these stipulations in regard to import duties, as understood by Her Majesty’s Government, is stated in the note on page 5 of Lord Jersey’s Report as follows:—

1. They do not prevent differential treatment by the United Kingdom in favour of British Colonies.
2. They do not prevent differential treatment by British Colonies in favour of each other.
3. They do prevent differential treatment by British Colonies in favour of the United Kingdom.

41. In regard to the first of the foregoing propositions, I may observe that, as will be gathered from what has been said above, the question of admitting Colonial produce into the United Kingdom on more favourable terms than the produce of foreign countries is a question which Her Majesty’s Government are not at present prepared to take into consideration; and if, at any future time, it were to come into practical

discussion, it could be approached with equal freedom whether the Treaties with Belgium and the Zollverein were in force or not.

42. As regards the second proposition, the opinion formed by Her Majesty's Government as to the interpretation of Article XV. of the Treaty with Belgium is in conformity with an opinion expressed by the Law Officers of the Crown, to the effect that the words "Similar articles of British origin," or in the French text "*produits similaires originaires de la Grande Bretagne*," relate to the produce of the United Kingdom alone.

43. It must, however, be recollected that in the construction of any Treaty the interpretation of one of the parties alone does not necessarily prevail.

44. In regard to the third proposition, it seems clear that under the terms of Article XV. of the Belgian Treaty, and of Article VII. in the Treaty with the Zollverein, the British Colonies cannot grant to the produce of the United Kingdom any preferential treatment as to Customs duties without such treatment being also extended to Belgium and Germany, and through them to other countries which have ordinary most-favoured-nation clauses with Great Britain.

In these circumstance the question arises whether it is desirable—

- (a.) To endeavour to obtain the abrogation of Article XV. of the Belgian Treaty and of Article VII. of the Zollverein Treaty separately, without the denunciation of the entire Treaties ; or
- (b.) Failing the abrogation of these particular clauses alone, to denounce the Treaties themselves, which can be done by giving twelve months' notice.

45. In regard to the separate denunciation of these Articles, it may be stated that both the Belgian and German Governments have been asked whether they would consent to the abrogation of these particular clauses without the rest of the Treaties being terminated, and the reply in both cases was to the effect that the clauses could not be denounced apart from the rest of the Treaty.

46. Her Majesty's Government have no Treaty right to demand the abrogation of these Articles separately, and in view of these replies, there would evidently be no use in further approaching either Government in this direction ; and the only method of getting rid of these clauses would be the denunciation of the Treaties themselves.

47. Such denunciation would be a step of the greatest gravity, and whilst Her Majesty's Government are fully alive to the desirability of removing any Treaty stipulations which may hamper the action of the Colonies in regard to trade relations, they consider that the advantages to be derived from such a step should be very clearly shown to outweigh the disadvantages before it could properly be resorted to.

48. It has been shown above that the United Kingdom could, if it were at any time judged proper, grant preferential terms to Colonial produce without infringing the particular articles in question, and further that the British Colonies could also grant preferential treatment to each other without infringing them as they are interpreted by Her Majesty's Government. The only point, therefore, which remains for consideration is, whether the advantages to be derived from permitting the United Kingdom to enjoy

preferential treatment in the British Colonies is sufficient to outweigh the disadvantages to the Empire of the denunciation of the entire Belgian and Zollverein Treaties.

49. The following figures may serve to indicate generally how the interests of the United Kingdom are affected.

The annual value of the exports from the United Kingdom, according to the Statistical Abstract, may be roughly estimated as having been in 1893 :—

	£
To Germany - - - - -	28,000,000
To Belgium - - - - -	13,000,000
Total - - - - -	<u>£41,000,000</u>

The value of exports from the United Kingdom to all the self-governing Colonies for the same year may be roughly estimated at 35,000,000*l.* (India not included).

The comparison would not be quite the same if account were taken of the exports of British and Irish produce only. Here it would seem that the exports from the United Kingdom to British self-governing Colonies exceed the exports to Belgium and Germany. The self-governing Colonies, moreover, being geographically distant, the exports to them give proportionately more employment to shipping than do exports to adjacent countries like Belgium and Germany. But the exports to Belgium and Germany are undoubtedly important in themselves.

50. The denunciation of the Treaties with Belgium and Germany would thus expose the trade of the United Kingdom to some risks, and might possibly be followed by a loss of some part of the export trade to those countries; probably of some portion of it, which consists in the distribution of foreign and colonial produce. With the denunciation of the Treaties the commerce of the Empire with these countries would have to be carried on under fiscal conditions subject to constant changes and fluctuations, or at all events without that permanence and security which is of primary importance to successful and profitable interchange. It would be extremely difficult, in existing circumstances, to negotiate new Treaties of a satisfactory character at an early date, and the loss which might in the meantime result to a trade of forty-one millions sterling would, perhaps, prove to be irreparable. On the other hand, no scheme has been proposed which foreshadows any precise advantages to be secured to the export trade, amounting to thirty-five millions sterling, from the United Kingdom to the British Colonies, in the event of the termination of these Treaties.

51. I may further observe that the self-governing Colonies themselves would lose any advantage they now derive from their inclusion in the German and Belgian Treaties; since, if those Treaties were denounced, both countries would, in view of the circumstances attending the passing of the Resolutions of the Colonial Conference and in view of the high tariffs existing in many of the Colonies, no doubt decline to include the British Colonies in any new Treaty that might be negotiated, and considering the small amount of their trade, it would be very difficult for them, if in an isolated position, to secure advantageous terms except by very heavy concessions. In this connexion it might be expedient for the self-governing Colonies themselves to consider

how much their interests are involved. A large item in the exports from the United Kingdom to Belgium and Germany is "wool," about 8,000,000*l.* in value, largely, there is no doubt, colonial wool. Other articles of colonial export also find a market in Belgium and Germany.

52. In these circumstances, as preferential arrangements in which this country should be included cannot, under present conditions, be considered a matter of practical politics, and as the clauses in the Treaties do not, in the view of Her Majesty's Government, prevent inter-colonial preferential arrangements, Her Majesty's Government consider that it would not be prudent to contemplate the denunciation of the Treaties at the present moment, bearing in mind that this could always be done on twelve months' notice, if circumstances should hereafter show it to be desirable.

53. In conclusion, it only remains for me to state that in the consideration of these questions the discussions at the Conference have been of the greatest service to Her Majesty's Government. The discussion throughout was maintained at a high level, and the speeches were eminently practical and to the point, and I have observed with pleasure the unanimity which prevailed as to the importance and desirability in principle, not only of preserving but of strengthening the bonds of sentiment, sympathy, and mutual benefit which now unite the Empire. This was one of the main objects for which the Conference was summoned, and Her Majesty's Government are convinced that the result has been a substantial and permanent contribution to the establishment and maintenance of that mutual understanding and sympathy without which that Imperial union which we prize so highly can scarcely hope to be permanent.

I have, &c.

RIPON.

No. 2.

The Marquess of Ripon to the Governor-General of Canada, the Governors of the Australasian Colonies (except Western Australia), and the Governor of the Cape.

MY LORD,
SIR,

Downing Street, June 28, 1895.

In my despatch of even date,* I communicated to you an expression of the views of Her Majesty's Government on the Resolutions passed by the Colonial Conference at Ottawa in regard to the trade relations of the Empire.

2. In the course of the discussions there, a question of considerable importance was more than once alluded to, namely, the question of commercial agreements between Her Majesty's Government and foreign Powers in regard to their trade with the Colonies.

*No. 1.

Such Conventions have already been made on more than one occasion in regard to the trade of Her Majesty's Dominions in North America with the United States of America, and recently with the Government of France in regard to the trade between that country and Canada; and the Cape Colony has also entered into a Customs Union with the neighbouring Independent Republic, the Orange Free State.

3. Although the area within which such agreements are possible is now but limited, owing to the network of commercial Treaties by which the nations are bound together, there are still some Powers, such as France, with which agreements of the kind could be made, either because no commercial Treaty exists between them and this country, or because some of the Colonies have not adhered to the existing Treaty. It appears desirable, now that the same liberty of tariff legislation has been accorded to the Australian Colonies as has been enjoyed by Canada, the Cape Colony, and New Zealand, and that the Colonies generally are considering the question of extending and increasing their external commerce, that the views of Her Majesty's Government on this question should be generally known.

4. In the first instance it is advisable that the international position of such agreements and the procedure to be followed in regard to them should be made clear and in this connexion I desire to quote from the able speech delivered by Sir Henry Wrixon at the meeting of the Conference on the 10th of June.

5. Referring to this question, he said—

“I do not know that I have ever thoroughly understood the position which the Imperial Government takes with regard to the power which they have already allowed to Canada and the Cape, because we all know that nations can only know one another through the supreme head. Each nation is an entity as regards any other nation, and I have no knowledge of how you could recognise a part of an Empire making arrangements for itself. If you look at the thing in the last resort, supposing conflicts arose, or cause of war, the foreign Power that had cause to complain of the breach of a commercial Treaty must naturally look to the head of an Empire, and they could not be put off by telling them to look for satisfaction to the dependency. If any foreign Power made an arrangement with the Cape, and had cause to complain, and wanted to enforce any proviso, they must go to the Empire of Great Britain; and, therefore, as far as I can understand it, I am quite against any attempt to recognise the right of a dependency of the Empire to act on its own behalf. Everything must be done through the head of the Empire when we are dealing with foreign nations. One nation is one individual, and it can only deal with other nations on that basis; therefore I deliberately excluded any reference in my motion to that subject, and I may only add that I think it is quite unnecessary to refer to it, because we can have no doubt that the Imperial Government will extend the same consideration to all the dependencies of the Empire that it has already extended to Canada and the Cape, if in any case any dependency of the Empire shows that it has good ground for entering into a commercial Treaty outside. I have not the slightest

doubt that the Imperial Government would do for other dependencies what it has already done for the premier dependency of Canada and the Cape.

“HON. MR. FITZGERALD.—Do you wish it done by legislation?”

“SIR HENRY WRIXON.—No. I do not understand how it can be done, because I have no idea of a nation as anything else than one complete unity with regard to an outside nation, and I cannot understand a dependency of the Empire arranging with an outside Power; and I presume, where the Imperial Government has allowed Canada and the Cape to make arrangements, the Imperial Government itself has contracted and would be prepared to vindicate the conduct of the dependency in the last resort. I understand that when occasion arises the dependency informs the Imperial Government of its desire to enter into certain arrangements. The Imperial Government authorises its Minister at the Court of the Power which is to be treated with to carry on that negotiation, and then, technically, it is the Empire which makes the Treaty. In our country some claimed more than this right. I repudiated any such position. I think it is not consistent with the unity of the Empire, and I added to that a reason why it was unnecessary—namely, because the Imperial Government will do for us what they have done for Canada and the Cape, and will help us to make a Treaty if we want to make a Treaty with any foreign Power.”

6. This speech not only indicates the procedure to be followed in the case of such arrangements, but clearly explains the reasons for it. A foreign Power can only be approached through Her Majesty's Representative, and any agreement entered into with it, affecting any part of Her Majesty's dominions, is an agreement between Her Majesty and the Sovereign of the foreign State, and it is to Her Majesty's Government that the foreign State would apply in case of any question arising under it.

7. To give the Colonies the power of negotiating Treaties for themselves without reference to Her Majesty's Government would be to give them an international status as separate and sovereign States, and would be equivalent to breaking up the Empire into a number of independent States, a result which Her Majesty's Government are satisfied would be injurious equally to the Colonies and to the Mother Country, and would be desired by neither.

The negotiation, then, being between Her Majesty and the Sovereign of the foreign State must be conducted by Her Majesty's Representative at the Court of the foreign Power, who would keep Her Majesty's Government informed of the progress of the discussion, and seek instructions from them as necessity arose.

It could hardly be expected, however, that he would be sufficiently cognisant of the circumstances and wishes of the Colony to enable him to conduct the negotiation satisfactorily alone, and it would be desirable generally, therefore, that he should have the assistance, either as a second Plenipotentiary or in a subordinate capacity, as Her Majesty's Government think the circumstances require, of a delegate appointed by the Colonial Government.

If, as a result of the negotiations, any arrangement is arrived at it must be approved by Her Majesty's Government and by the Colonial Government, and also by the

Colonial Legislature if it involves legislative action, before the ratifications can be exchanged.

8. The same considerations which dictate the procedure to be followed have also dictated the conditions under which, though never distinctly formulated, Her Majesty's Government have hitherto conducted such negotiations, and as to the propriety of which they are confident that no question can be raised.

9. These considerations are: the strict observance of existing international obligations, and the preservation of the unity of the Empire. The question, then, to be dealt with is how far these considerations necessarily limit the scope and application of any commercial arrangement dealing with the trade between one of Her Majesty's Colonies and a foreign Power, both in respect of the concessions which may be offered by the Colony and the concessions which it seeks in return.

10. It is obvious that a Colony could not offer a foreign Power tariff concessions which were not at the same time to be extended to all other Powers entitled by Treaty to most-favoured-nation treatment in the Colony. In the Constitution Acts of some Colonies such a course is specifically prohibited, but, even where that is not the case, it is obvious that Her Majesty could not properly enter into any engagements with a foreign Power inconsistent with Her obligations to other Powers, and before any Convention or Treaty can be ratified, therefore, Her Majesty's Government must be satisfied that it fulfils this condition, and also that any legislation for giving effect to it makes full provision for enabling Her Majesty to fulfil Her obligations, both to the Power immediately concerned, and to any other Powers whose rights under Treaty may be affected. To do otherwise would be a breach of public faith to which Her Majesty's Government could not lend themselves in any way.

Further, Her Majesty's Government regard it as essential that any tariff concessions proposed to be conceded by a Colony to a foreign Power should be extended to this country and to the rest of Her Majesty's dominions.

As I have already pointed out, there are but few nations with which Her Majesty's Government have not Treaties containing most-favoured-nation clauses, and to most of these Treaties all or some of the Responsible Government Colonies have adhered. Any tariff advantages granted by a Colony, therefore, to a foreign Power would have to be extended to all Powers entitled by Treaty to most-favoured-nation treatment in the Colony, and Her Majesty's Government presume that no Colony would wish to afford to, practically, all foreign nations better treatment than it accorded to the rest of the Empire of which it forms a part.

11. This point has already arisen in connexion with negotiations on behalf of Colonies with foreign States. When informal discussions with a view to a commercial arrangement between the United States of America and Canada took place in 1892, the delegates of the Dominion Government refused the demand of the United States that Canada should discriminate against the produce and manufactures of the United Kingdom, and the negotiations were broken off on this point. Similarly, when Newfoundland, in 1890, had made preliminary arrangements for a Convention with the

United States under which preferential treatment might have been accorded to that Power, Her Majesty's Government acknowledged the force of the protest made by Canada, and when the Newfoundland Government proposed to pass legislation to grant the concessions stipulated for by the United States, my predecessor, in a despatch dated the 26th of March 1892, informed the Dominion Government that they might rest assured "that Her Majesty will not be advised to assent to any legislation " discriminating directly against the products of the Dominion."

12. It must not be forgotten that, as I have pointed out in my other despatch of this date,* whilst the grant of preferential tariff treatment is a friendly act to the country receiving it, it is an unfriendly act to countries or places excluded from it, and Her Majesty's Government are satisfied that the bonds which unite the various parts of the Empire together require that every Colony should accord to the rest at least as favourable terms as it grants to any foreign country. If a Colony were to grant preferential treatment to the produce of a foreign country and were to refuse to extend the benefit of that treatment to the Mother Country and the other Colonies, or some of them, such a step could not fail to isolate and alienate that Colony from the rest of the Empire, and attract it politically as well as commercially towards the favoured Power. Her Majesty's Government are convinced that the Colonies will agree that such a result would be fraught with danger to the interests of the Empire as a whole, and that they will also agree that it would be impossible for Her Majesty's Government to assent to any such arrangement.

13. In regard to the other side of the question, namely as to the terms which a Colony seeks from a foreign Power, the considerations mentioned appear to require that a Colony should not endeavour in such a negotiation to obtain an advantage at the expense of other parts of Her Majesty's dominions. In the case, therefore, of preference being sought by or offered to the Colony in respect of any article in which it competed seriously with other Colonies or with the Mother Country, Her Majesty's Government would feel it to be their duty to use every effort to obtain the extension of [the concession to the rest of the Empire, and in any case to ascertain as far as possible whether the other Colonies affected would wish to be made a party to the arrangement. In the event of this being impossible, and of the result to the trade of the excluded portions of the Empire being seriously prejudicial, it would be necessary to consider whether it was desirable, in the common interests, to proceed with the negotiation.

14. Her Majesty's Government recognise, of course, that in the present state of opinion among foreign Powers and many of the Colonies as to differential duties, and in a matter which, to some extent, would affect only a particular Colony, they would not feel justified in objecting to a proposal merely on the ground that it was inconsistent in this respect with the commercial and financial policy of this country.

But the guardianship of the common interests of the Empire rests with them, and they could not in any way be parties to, or assist in, any arrangements detrimental to

* No. 1.

these interests as a whole. In the performance of this duty it may sometimes be necessary to require apparent sacrifices on the part of a Colony, but Her Majesty's Government are confident that their general policy in regard to matters in which Colonial interests are involved is sufficient to satisfy the Colonies that they will not, without good reason, place difficulties in the way of any arrangements which a Colony may regard as likely to be beneficial to it.

I have, &c.

RIPON.

DIVORCES (FOREIGN COUNTRIES AND BRITISH COLONIES).

FURTHER RETURN to an Address of the Honourable The House of Commons,
dated 30 July 1894 ;—*for*,

“RETURN of the Number of DIVORCES granted in each of the British Colonies and Possessions, and in each of the principal Foreign Countries, together with the Population, in each Year during the past Ten Years.”

PART II.—BRITISH COLONIES.

Colonial Office, }
August 1895. }

R. H. MEADE.

(*Mr. Henniker Heaton.*)

*Ordered, by The House of Commons, to be Printed,
30 August 1895.*

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PART II.—BRITISH COLONIES.

— No. 1. —

The Marquess of *Ripon* to the Governors of Colonies under Responsible Government.

(Circular.)

Sir,

Downing-street, 25 August 1894.

I HAVE the honour to inform you that an Address has been presented by the House of Commons to Her Majesty for a Return of the Number of Divorces granted in each of the British Colonies and Possessions in each year during the past 10 years; and I have to request that you will be good enough to furnish me, at your earliest convenience, with a Memorandum giving the information desired in this Return, so far as it relates to the Colony under your government.

I have, &c.
Ripon.

NEWFOUNDLAND.

— No. 2. —

NEWFOUNDLAND.

Sir *F. B. T. Carter* to the Marquess of *Ripon*.

(Received 15 October 1894.)

My Lord Marquess,

Government House, St. John's,
1 October 1894.

WITH reference to your Lordship's Circular Despatch of the 25th August last, asking to be informed as to the number of divorces granted in this Colony during the past 10 years, I have the honour to inform you that there is no law relating to divorce in force in this Colony.

I have, &c.
F. B. T. Carter,
Administrator.

NATAL.

NATAL.

— No. 3. —

Sir *W. F. Hely-Hutchinson* to the Marquess of *Ripon*.

(Received 6 November 1894.)

Government House, Pietermaritzburg,

Natal, 9 October 1894.

My Lord,

Return,
5 October 1894.

IN reply to your Lordship's Circular Despatch of the 25th of August last, I have the honour to transmit herewith a return showing the number of divorces granted in this Colony in each year during the 10 years ended 31st December 1893.

Divorces under Native law, not being dissolutions of marriages recognised by any European law, are not included in the return.

I have, &c.

Walter Hely-Hutchinson.

Enclosure in No. 3.

RETURN showing the Number of Divorces granted in *Natal* during the period of
Ten Years from 1884 to 1893.

Year.	Number of Cases.	Year.	Number of Cases.
1884 - - -	18	1890 - - -	2
1885 - - -	7	1891 - - -	2
1886 - - -	7	1892 - - -	10
1887 - - -	5	1893 - - -	4
1888 - - -	5		
1889 - - -	3	TOTAL - -	63

5 October 1894.

W. Broome,
Registrar Supreme Court, Natal.

CAPE COLONY.

— No. 4. —

CAPE OF GOOD HOPE

Sir *W. G. Cameron* to the Marquess of *Ripon*.

(Received 26 November 1894.)

Government House, Cape Town,

7 November 1894.

My Lord Marquess,

I HAVE the honour to enclose, for your Lordship's information, with reference to your Circular Despatch of 25th August, a copy of a Minute from Ministers on the subject of the number of divorces granted in the Colony.

I have, &c.

W. G. Cameron, General,
Administrator and High Commissioner.

Enclosure in No. 4.

From Ministers, Cape Town, to his Excellency the Administrator,
Cape Town.

Prime Minister's Office, Cape Town,

6 November 1894.

IN acknowledging the Minute of the 29th September of his Excellency the Officer Administering the Government, Ministers have the honour to transmit herewith a return of the number of divorces granted in this Colony in each year during the past 10 years.

J. Gordon Sprigg.

NUMBER of Divorces granted in the Colony of the *Cape of Good Hope* during the Ten Years, 1884 to 1893, inclusive, by the Supreme Court, the Eastern Districts Court, and the High Court, respectively.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	Totals.
Supreme Court - -	21	25	21	21	18	25	27	29	37	46	270
Eastern Districts Court -	26	28	30	16	20	15	26	26	32	26	255
High Court - - -	1	1	1	3	6	2	8	5	7	12	46
TOTAL for the Colony in each Year - - -	48	54	52	40	44	42	61	60	76	84	
GRAND TOTAL for the Colony for the above period - - - - -											571

Attorney General's Office, Cape Town,
27 October 1894.

NEW ZEALAND.

— No. 5. —

The Earl of *Glasgow* to the Marquess of *Ripon*.

(Received 28 November 1894.)

My Lord,

Wellington, 18 October 1894.

IN reply to your Circular Despatch, dated 25th August 1894, I have the honour to forward a return from my Government showing the number of divorces granted in this Colony during the past 10 years.

I have, &c.
Glasgow.

Enclosure in No. 5.

RETURN of Divorces granted in the Colony of *New Zealand* during the past
Ten Years.

1893 - - - - - 25	1888 - - - - - 32
1892 - - - - - 18	1887 - - - - - 16
1891 - - - - - 20	1886 - - - - - 24
1890 - - - - - 21	1885 - - - - - 19
1889 - - - - - 17	1884 - - - - - 16

VICTORIA.

— No. 6. —

The Earl of *Hopetoun* to the Marquess of *Ripon*.

(Received 26 December 1894.)

My Lord,

Government House, Melbourne,

16 November 1894.

IN reply to your Lordship's Circular Despatch of the 25th August ultimo, I have the honour to transmit a return of the number of divorces granted in this Colony during the period from 31st October 1884 to 31st October 1894.

I have, &c.
Hopetoun.

Enclosure in No. 6.

VICTORIA.

				Dissolutions of Marriages.	Judicial Separations.	Nullity of Marriages.
MELBOURNE.						
31st October 1884	}			20	—	1
to						
31st October 1885	}			21	1	—
to						
31st October 1886	}			18	—	1
to						
31st October 1886	}			28	—	—
to						
31st October 1887	}			29	2	—
to						
31st October 1888	}			58	—	—
to						
31st October 1889	}			102	—	—
to						
31st October 1890	}			71	1	2
to						
31st October 1891	}			86	3	2
to						
31st October 1892	}			76	1	—
to						
31st October 1893	}			509	8	6
to						
31st October 1894	}					
to						
BALLARAT.						
1890			1	—	—	
1891			2	—	—	
1892			4	1	—	
1893			6	—	—	
1894			3	—	—	
			16	1	—	
BENDIGO.						
1890			1	—	—	
1891			3	—	—	
1892			5	—	—	
1893			2	1	—	
1894			2	—	—	
			13	1	—	
Number of Divorces granted from 31st October 1884 to 31st October 1894:						
At Melbourne				509		
At Ballarat				16		
At Bendigo				13		
TOTAL				538		
Number of Decrees — Nullity of Marriage: At Melbourne						
				6		

WESTERN AUSTRALIA.

WESTERN
AUSTRALIA.

— No. 7. —

Sir *W. C. F. Robinson* to the Marquess of *Ripon*.

(Received 31 December 1894.)

Government House, Perth,
26 November 1894.

My Lord,

In reply to your Lordship's Circular Despatch of the 25th of August, I have the honour to transmit herewith a return of the number of divorces granted in Western Australia during the last 10 years.

I have, &c.

W. C. F. Robinson.

Enclosure in No. 7.

RETURN of Divorces granted in *Western Australia* from 1884 to 1894.

Year.	Petition by Husband.	Petition by Wife.	TOTAL.	Year.	Petition by Husband.	Petition by Wife.	TOTAL.
1884 -	-	-	-	1890 -	2	-	2
1885 -	-	1	1	1891 -	-	-	-
1886 -	1	1	2	1892 -	2	-	2
1887 -	1	-	1	1893 -	1	-	1
1888 -	-	1	1	1894 -	-	-	-
1889 -	-	1	1	TOTAL - - -			11

21 November 1894.

F. A. Moseley,
Registrar Supreme Court.

QUEENSLAND.

— No. 8. —

Sir *H. W. Norman* to the Marquess of *Ripon*.

(Received 7 January 1895.)

Government House, Brisbane,
27 November 1894.

My Lord Marquess,

In compliance with the request contained in your Lordship's Circular Despatch of the 25th of August last, I have the honour to submit herewith a letter from my Chief Secretary covering a return of the number of divorces granted in each year during the past 10 years in the Colony of Queensland.

I have, &c.

H. W. Norman.

QUEENSLAND.

Enclosure in No. 8.

QUEENSLAND.

Chief Secretary's Office, Brisbane,

26 November 1894.

Sir,

I HAVE the honour to acknowledge the receipt from your Excellency of a Circular Despatch, dated the 25th August, from the Secretary of State for the Colonies, stating that an Address has been presented by the House of Commons to Her Majesty for a return of the number of divorces granted in each of the British Colonies and Possessions in each year during the past 10 years, and requesting to be furnished with the information desired in the return so far as it relates to this Colony.

The accompanying return, which has been received from the Department of Justice, furnishes the information asked for in Lord Ripon's Despatch.

I have, &c.

Hugh M. Nelson.

RETURN showing the Number of Decrees for Divorce, Judicial Separation, and Nullity of Marriage, made during the last Ten Years in *Queensland*.

YEAR.	Divorces.		Judicial Separation.	Nullity of Marriage.	TOTAL.
	Decrees made Absolute.	Decrees not made Absolute.			
1885 - -	-	-	1	-	1
1886 - -	1	-	-	-	1
1887 - -	2	-	1	-	3
1888 - -	2	-	-	-	2
1889 - -	12	-	-	1	13
1890 - -	5	4	2	-	11
1891 - -	4	-	1	-	5
1892 - -	5	4	-	-	9
1893 - -	2	3	2	-	7
1894 - -	4	2	-	1	7
TOTAL -	37	13	7	2	59

W. Cahill,

Under Secretary for Justice.

TASMANIA.

— No. 9. —

TASMANIA.

Viscount *Gormanston* to the Marquess of *Ripon*.

(Received 14 January 1895.)

Government House, Hobart, Tasmania,

7 December 1894.

My Lord,

IN compliance with the request contained in your Lordship's Circular Despatch, dated the 25th August last, I have the honour to transmit to your Lordship copy of a memorandum, which I have received through my Prime Minister, giving a return of the number of divorces granted in this Colony in each of the past 10 years.

I have, &c.

Gormanston.

24 October 1894.

TASMANIA.

Enclosure in No. 9.

RETURN of the Number of Divorces granted in the Colony of *Tasmania* in each Year during the past Ten Years.

Number of Divorces granted in the Colony of Tasmania in the year							1884	-	-	-
Ditto	-	-	ditto	-	-	ditto	-	-	-	2
Ditto	-	-	ditto	-	-	ditto	-	-	-	6
Ditto	-	-	ditto	-	-	ditto	-	-	-	-
Ditto	-	-	ditto	-	-	ditto	-	-	-	4
Ditto	-	-	ditto	-	-	ditto	-	-	-	4
Ditto	-	-	ditto	-	-	ditto	-	-	-	2
Ditto	-	-	ditto	-	-	ditto	-	-	-	3
Ditto	-	-	ditto	-	-	ditto	-	-	-	5
Ditto	-	-	ditto	-	-	ditto	-	-	-	7
TOTAL							-	-	-	33

Registry Office, Supreme Court, Hobart,
24 October 1894.

G. Patten Adams,
Registrar of the Supreme Court of Tasmania.

C A N A D A.

— No. 10. —

CANADA.

The Earl of *Aberdeen* to the Marquess of *Ripon*.

(Received 21 January 1895.)

[*Further Despatch, No. 12.*]

My Lord,

Montreal, 28 December 1894.

IN reply to your Lordship's Circular Despatch of the 25th August last, requesting that you might be supplied with information relative to the number of divorces granted in Canada during the past 10 years, I have the honour to transmit copy of an approved Minute of the Privy Council submitting the required information.

24 December 1894.

I have, &c.

Aberdeen.

Enclosure in No. 10.

EXTRACT from a Report of the Committee of the Honourable The Privy Council, approved by his Excellency on the 24th December 1894.

ON a Report, dated the 3rd December 1894, from the Secretary of State, adverting to the Circular Despatch from the Colonial Office, dated the 25th of August last, advising your Excellency of the adoption of an Address to Her Majesty by the House of Commons of the United Kingdom, for a return of the number of divorces granted in each of the British Colonies and Possessions in each year during the past 10 years, and with reference to the Order in Council of the 8th October last, made upon consideration of the said Despatch,—

The

The Minister states that, as is set forth more in detail in the schedule hereto attached, divorces were granted within the Dominion of Canada to the number and by the authority below mentioned during the period indicated :—

CANADA.

(a) By the Parliament of Canada, 42.

(b) By the Supreme Court of British Columbia, 23. (Three of these were "Judicial Separations.")

(c) By the Court of Divorce and Matrimonial Causes of Nova Scotia, 34.

The Committee, on the recommendation of the Secretary of State, advise that your Excellency be moved to forward a certified copy of this Minute, if approved, together with its annexes, to the Right honourable the Principal Secretary of State for the Colonies.

John J. McGee,
Clerk of the Privy Council.

STATEMENT of Divorces granted by the Parliament of the Dominion of *Canada*,
during Ten Years from 1885 to 1894.

1885	-	-	-	-	-	-	4	1891	-	-	-	-	-	-	4
1886	-	-	-	-	-	-	2	1892	-	-	-	-	-	-	5
1887	-	-	-	-	-	-	5	1893	-	-	-	-	-	-	7
1888	-	-	-	-	-	-	3	1894	-	-	-	-	-	-	6
1889	-	-	-	-	-	-	4	TOTAL Number of Divorce Bills } passed during the period mentioned } 42							
1890	-	-	-	-	-	-	2								

(Certified.)

Ottawa, 18 October 1894.

Edouard J. Langevin,
Clerk of the Senate of Canada.

NUMBER of Divorces granted in the Supreme Court of *British Columbia*, from 1st of
January 1884 to the 31st October 1894.

During the year 1884	-	-	2	
" " 1885	-	-	Nil.	
" " 1886	-	-	1	
" " 1887	-	-	2	
" " 1888	-	-	3	
" " 1889	-	-	3	
" " 1890	-	-	3	
" " 1891	-	-	3	
" " 1892	-	-	3	1 a Judicial Separation.
" " 1893	-	-	2	ditto
" " 1894	-	-	1	A Judicial Separation.
TOTAL	-	-	23	

31 October 1894.

Harvey Combe,
Deputy Registrar.

CANADA.

MEMORANDUM of Suits brought in Her Majesty's Court for Divorce and Matrimonial Causes for the Province of *Nova Scotia* for Years 1884 (1st January) to 28th November 1894, in which suits decrees absolute for the dissolution of the marriage were granted.

1884	-	-	-	-	-	4	1890	-	-	-	-	-	2
1885	-	-	-	-	-	4	1891	-	-	-	-	-	3
1886	-	-	-	-	-	4	1892	-	-	-	-	-	3
1887	-	-	-	-	-	1	1893	-	-	-	-	-	5
1888	-	-	-	-	-	2	1894	-	-	-	-	-	1
1889	-	-	-	-	-	5	TOTAL						34

SOUTH AUSTRALIA.

— No. 11. —

Lieutenant Governor, *Way* to the Marquess of *Ripon*.

(Received 5 March 1895.)

Government House, Adelaide,

29 January 1895.

My Lord, WITH reference to your Lordship's Despatch, marked "Circular," and dated the 25th August 1894, concerning the number of divorces granted in each of the British Colonies and Possessions, I have the honour to transmit herewith a copy of a Memorandum from the Master of the Supreme Court of this Colony giving the information desired so far as it relates to South Australia.

2. I greatly regret the delay that has occurred in transmitting this return to your Lordship. The Despatch was forwarded to the Government Offices on the 20th October last, and was not returned until the 23rd instant.

I have, &c.

S. J. Way.

Enclosure in No. 11.

RETURN showing the Number of Divorces granted in the Colony of *South Australia* during the Ten Years ending 31st December 1893.

Year.	Number of Divorces.	Year.	Number of Divorces.
1884	8	1890	2
1885	9	1891	5
1886	10	1892	7
1887	3	1893	8
1888	2	1894 to date	7
1889	6		

30 October 1894.

Alex. Buchanan,
Master Supreme Court.

C A N A D A.

— No. 12. —

CANADA.

The Earl of *Aberdeen* to the Marquess of *Ripon*.

(Received 7 May 1895.)

Government House, Ottawa,
19 April 1895.

My Lord,

IN reply to your Lordship's Despatch of the 8th March last*, asking for a return of the number of divorces granted in Prince Edward Island in each of the last 10 years, I have the honour to enclose herewith copy of an approved Minute representing that, as no provincial divorce system exists in that Island, it was not deemed necessary to make special mention of it in the returns transmitted with my Despatch of the 28th December last†.

I have, &c.
Aberdeen.

Enclosure in No. 12.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 11th April 1895.

THE Committee of the Privy Council have had under consideration a Despatch, hereto attached, dated 8th March 1895, from the Marquess of Ripon, requesting to be furnished at the earliest possible date with a return of the number of divorces granted in Prince Edward Island in each of the last 10 years.

The Secretary of State, to whom the question was referred, submits, with reference to the Minute of Council dated 24th December 1894, upon divorces and judicial separations within the Dominion from 1884 to 1894, that it was not deemed necessary to make special mention of Prince Edward Island more than of any of the other Provinces of Canada which are without a divorce system.

The Minister observes that the Lieutenant Governor of Prince Edward Island reported, on the 3rd November 1894, that he had been advised by his Ministers "that there has been no divorce system in existence in the Province within the last 10 years."

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to the Right honourable the Principal Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

John J. McGee,
Clerk of the Privy Council.

* Not printed.

† No. 10.

DIVORCES (FOREIGN COUNTRIES AND
BRITISH COLONIES).

RETURN of the Number of Divorces granted in each
of the British Colonies and Possessions, and in each
of the principal Foreign Countries, together with
the Population, in each Year during the past Ten
Years.

PART II.—BRITISH COLONIES.

(*Mr. Henrich Heaton.*)

Ordered, by The House of Commons, to be Printed,
30 August 1895.

[*Price 2d.*]

C Y P R U S.

ANNUAL REPORTS

FOR THE YEAR

1893-94.

(For Reports for 1892-93, see [C.—7411], June 1894.)

Presented to Parliament by Command of Her Majesty.
August 1895.



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1895.

[C.—7876.]

CYPRUS.

ANNUAL REPORTS

FOR THE YEAR

1893-94.

SIR W. J. SENDALL to the MARQUESS OF RIPON.

MY LORD,

Government House, May 6, 1895.

IN my despatch of the 23rd March, I forwarded copies of the Cyprus Blue Book for the year 1893-4, together with an explanation of the delay which has taken place in preparing it for publication.

2. I have now the honour to transmit the usual departmental reports for the same period.

3. The events of the year in question do not call for any special remark. The report of the Receiver-General gives full information upon the subject of trade and revenue, and interesting matter will be found in the reports of the District Commissioners, especially those of Papho and Nicosia.

4. But if our survey of the general condition of the Island were to be extended up to the present date, an important feature would have to be noted which is rapidly rising into prominence in connexion with our economic and financial prospects.

5. The past five years have been years of uniformly good harvests; and as a consequence of those good harvests the financial years 1891-2 and 1892-3 were distinguished by the absence of any necessity to apply to the Imperial Parliament for a grant-in-aid of the expenses of administration, a necessity which had existed in every previous year since the occupation.

6. But although the produce of the soil, which is the sole source of wealth in Cyprus, has been abundant for several years, a rapid and heavy fall has lately taken place in the (gold) value of such produce, and especially of cereals, and has very seriously affected the public revenue of Cyprus, which is largely dependent upon the prices obtainable for grain and other produce exported to foreign markets.

7. From this cause the incashments of revenue for the two financial years ended the 31st of March last have not sufficed to meet both the expenses of the administration and the payment made to Turkey under the Convention ; and it has been necessary for Parliament to come to the assistance of the local budget.

8. This state of things may be expected to continue, unless a substantial rise takes place in the price of cereals, or unless the total yield of agricultural produce throughout the Island, through extended cultivation and improved means of transport, undergoes a considerable expansion. Your Lordship is aware that this subject has of late received a good deal of attention, upon the result of which the future financial prospects of Cyprus will largely depend.

9. In connexion with this aspect of the question, it is interesting to take note of the experience obtained in Egypt.

10. Egypt, like Cyprus, is chiefly dependent for its prosperity upon its agricultural produce, and the national income has been materially diminished by the fall in prices. According to Lord Cromer's last Administration Report (quoted in "The Times" of the 6th of April), the loss to the country, occasioned by the depreciation in the money value of its principal products, may be estimated at nearly £3,000,000 a year.

11. This loss, it is stated, has been in a great measure compensated by improvements in the system of irrigation ; and the estimates of the public revenue and expenditure for the coming year still show a surplus, notwithstanding large reductions in the direct taxes, reductions which have been going on since 1890, that is to say *pari passu* with the fall in agricultural prices.

I have, &c.

WALTER J. SENDALL,
High Commissioner.

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REPORT of the CIVIL COMMISSIONER, LIMASSOL.

(Extract.)

CHIEF SECRETARY,

Limassol, May 5, 1894.

I HAVE the honour to comply with your request that I should submit a short report on the District, in connection with the statistics for the Annual Blue Book for 1893-4, which I have already forwarded to you. My remarks must necessarily be very brief, seeing that separate reports are submitted by all heads of departments.

The year has been a prosperous one as regards produce. The cereal harvest was a good one, also that of locust-beans, while the yield of wine, as will be seen from an appended table showing the vintage of the last ten years, was very large. The quality of the wine, too, was good. I am informed by merchants in the town that wine of such good quality has not been produced for many years. Unfortunately, however, the prices offered for wine and cereals have been very low, and this has caused depression and consequent difficulty in the collection of revenue. Prospects for the present year are very encouraging. The rainfall has been as much as 23 inches, as gauged at Limassol, during the year under review; 19 inches having fallen in December 1893, and January and February 1894.

Locust.

The campaign against locusts was continued, the remarkable feature being the great assistance rendered by birds of various species. The satisfactory result of the operations was due more to the birds than to anything else: the destruction caused by them being on a scale altogether beyond any expectations which the previous year's experience might have led us to form. The eggs deposited were, so far as could be ascertained, very few as compared with last year. Judging from the state of things at the time of writing, I hope to be able, next year, to give a very satisfactory account of the state to which these unwelcome visitors have been reduced.

Forests.

The year has been favourable for forests, on which the future prosperity of its land ought so much to depend. There have been no fires. The growth of young trees, and seedlings in many places is steadily progressing.

Villagers have been again invited to transplant wild olives from Government forests, at the almost nominal cost of $\frac{1}{2}$ copper-piastre a tree, and a fair number of villagers have availed themselves of the offer.

Wine Roads.

No applications have been received for fresh branches under "The Limassol Roads Law." But, should the present depression be succeeded by better times, all important villages will, I hope, come forward and co-operate with the Government in the construction of connecting branches.

Excavations.

Operations have been carried out by the British Museum at Amathus, at first under the supervision of Mr. A. H. Smith, of that Institution, and latterly by Mr. Myres, fellow of Magdalen, Oxford. Although almost all the tombs opened have been rifled at different periods, many of them, besides yielding objects of considerable historical value, are in themselves constructions of much interest.

Health.

The health of the district, and of the town of Limassol has been good, although "influenza," in its various forms, has been prevalent, principally in the town.

There were two cases of scarlet fever (hitherto, I believe, unknown in the district, if not in the Island) amongst the military, and there was much speculation and difference of opinion as to origin. The opinion finally adopted was, I believe, that the infection was transmitted by post either from Malta or Portsmouth.

The Town.

Limassol has been improved in many ways. An hotel outside the town which was opened in 1892, has not met with the success which it has deserved. A good hotel cannot thrive on Island support alone, and, owing to the present unfortunate and isolated position of Cyprus, to the want of direct steam communication with England, the island is not yet "linked with the beaten paths of tourists."

Complaints, I need not add, are numerous regarding our communications with the outer world, and the extremely unsatisfactory postal arrangements under which we still suffer.

The decision of his Excellency, that all torrent beds between Larnaca and Limassol should be bridged, has given very great satisfaction. It will soon be possible to travel to and from the capital or Larnaca and Limassol without the risk of being stopped by rushing waters.

It is satisfactory to notice a considerable development of taste for athletic exercises. An open air gymnasium of the Ayia Napa School is much used, while the riding of bicycles of excellent type has come largely into use among both the Turkish and Christian communities.

Great credit must be given to the municipality for the improvement of the streets, the result of work systematically carried out during several years. The change that has taken place in the appearance of streets and houses can only be fully appreciated by those who knew the town in the early days of the British occupation.

R. L. MICHELL,
Commissioner.

VINTAGE—LIMASSOL DISTRICT.

Year.	Commandaria Wine.	Black Wine.	"Red" Wine.	Spirits.
	Okes.	Okes.	Okes.	Okes.
1884 - -	228,000	5,280,000	107,000	285,000
1885 - -	206,000	5,666,000	113,000	302,000
1886 - -	431,000	9,121,000	220,000	491,000
1887 - -	218,000	4,268,000	183,000	234,000
1888 - -	94,000	5,699,000	188,000	300,000
1889 - -	81,000	4,852,000	152,000	255,000
1890 - -	149,000	7,564,000	351,000	404,000
1891 - -	395,980	10,835,000	357,000	581,000
1892 - -	250,048	5,199,128	273,696	290,528
1893 - -	259,120	8,859,616	464,336	482,232

R. L. M.

REPORT of the CIVIL COMMISSIONER for the PAPHO DISTRICT for the Year 1893-4.

Revenue.

The revenue of the District for the year under review amounted to 17,969*l.*, less by 56*l.* than that of 1892-3, but still in excess of

the average (16,630*l.*) for the five preceding years. Had all the tithe grain been sold, the receipts for the year would have exceeded very considerably the collections of any year on record.

There remained unsold at the close of the year about 40,000 kilos of wheat, and the proceeds of the sale of 10,500 kilos of superior barley sent to England were not credited in my accounts before the 31st of March.

Allowing a price for the wheat considerably below that obtained in 1892 we may put our total revenue, had all our tithe grain been sold, as was practically the case in previous years, at 23,500*l.*, the highest previous record being 19,755*l.* in 1891-2.

The following heads of revenue shew a satisfactory increase as compared with the preceding year :—

	1892-3.	1893-4.	Percentage of Increase.
Verghi - - - - -	£ 3,066	£ 4,073	33
Bedel Askerieh - - -	624	981	56

The differences under other heads are inconsiderable. The receipts for tithes in 1892-3 were 7,837*l.*, in 1893-4, 6,030*l.*

A new heading, "Salt," gives 458*l.*, depôts for the sale of salt at Paphos and Latchi having been opened in June 1893.

Arrears of Taxes.

Better progress was made during the year in collecting and clearing off old arrears. Taking the principal taxes—Tithes, Verghi, Bedel-Askerieh, Sheep and Goat-tax, and Pig-tax—we commenced the year with arrears amounting to 15,500*l.* (I exclude from these figures the cereal tithe paid in kind), the assessments of these taxes for the year came to 8,210*l.* giving 23,710*l.* for collection. 9,200*l.* was collected or written off, against 7,400*l.* in the preceding year, leaving arrears of 14,510*l.* For many years the burden of arrears kept steadily increasing; in 1891-2 and 1892-3 we were only able to get in a sum equal to about the year's assessment and keep the arrears stationary. This year we have done more, we have not only collected a sum equal to the year's assessment but, in addition, 1,000*l.* in round figures, of old outstanding arrears.

Crops.

The cereal harvest was a good one, the productions, based on the tithe assessment, being as follows :—

	Kilos.
Wheat	354,040
Barley	313,780
Vetches	21,490
Oats	153,590

a marked increase under all heads, as compared with 1892-3, the figures for which were :—

	Kilos.
Wheat	244,430
Barley	267,230
Vetches	13,930
Oats	136,700

It was an excellent year for wheat, but, unfortunately, prices have been very low and large stocks still remain in hand. The prices for other grain have been fair on the whole, but lower than last year.

Olives.—The olive crop was the largest on record, the Government tithe assessment being 105,625 okes, as compared with 3,328 in 1892-3 and 79,259 okes, the highest previous assessment.

Caroubs.—The crop was only a fair one, but prices have been very low and the merchants still hold considerable stocks unsold.

Cotton.—The extent of land sown was slightly greater than in the preceding year and the yield, if anything, somewhat better.

Silk.—The quantity of silkworms' eggs imported into the district and distributed may be put roughly at 130 kilograms, the yield at from 60,000 to 62,000 okes of cocoons or about the same as in 1892. The weather on the whole was good, but the mulberry trees were somewhat late in throwing out their leaves and a little wet weather at the time the worms commenced to spin led to some losses. The prices at which the villagers sold to the merchants were unusually good, reaching as high in some cases as 34 c.p. the oke of cocoons. Prices abroad at the beginning of the year were good, and as much as 17 francs the kilogram was obtained, but they fell rapidly, and some stocks still remain unsold in the hands of the exporters' agents in France.

Vintage.—The vintage of 1893 showed a considerable increase on that of 1892, the quantities comparing as follows:—

	1892.	1893.
	Okes.	Okes.
Black wine - - - -	60,043	174,408
Red wine - - - -	148,660	244,136
Spirits - - - -	14,301	24,400

Prices, however, still continue to be low.

Miscellaneous Crops.—The miscellaneous crops generally showed a healthy increase, especially sesame and beans.

Some English oats were obtained in the winter of 1892-3 and issued to the villagers in different parts of the district. In some places where the land was well irrigated and care was taken with the crop they did very well, but the experiment can only be said to have been moderately satisfactory and there was no demand for the seed this winter.

Crime and Police.

Although there was an increase in the number of small offences detected by or reported to the police in the year under review, as compared with 1892-3, there was a marked decrease in the amount of serious crime.

The execution of four men of Yallia for the murder of Stiliano Hji Andoni, the recapture and execution of Dimitri Nicola of Messahorio who was at large for some time, and the extradition of Yughi Andoni Yallouri from Turkey have taught the people a lesson which I hope will not be without good effect.

Prisons.

The daily average of prisoners in gaol was 35.63 as compared with 42.95 in 1892-3.

Health.

The general health of the district was good during the year. With the exception of a few cases of influenza of a mild form, there was no disease of an epidemic character. The prevailing diseases were much the same as in previous years.

The hospital continued to do good work. The number of persons treated, including both "in" and "out" patients was 3,629, as compared with 2,539 in the preceding year.

These figures are not indicative of an increase of sickness but are due to the fact that the institution is increasing in popularity.

There was no epidemic disease amongst animals during the year.

Forests.

The forest revenue fell off somewhat during the year, the total receipts being 141*l.* 16*s.* 4*c.p.* as against 210*l.* 9*s.* in 1892-3, an exceptionally high collection, the highest previous record having been 147*l.* 12*s.* 8*c.p.* in 1890-91. The collection was, however, in excess of the average for the preceding five years, 124*l.* 18*s.* 8*c.p.*

The falling off may be attributed to reduced demands for forest produce, for instance the number of trees granted was 144, as against 444 in 1892-3. We had also on 31st March the following paid as dues in kind and unsold:—

Rafters	-	-	-	-	-	215
Shovels	-	-	-	-	-	60
Boards	-	-	-	-	-	10
Doorposts	-	-	-	-	-	10

the value of which may be put at 24*l.*

Permits to pasture in the State forests were granted for the following animals:—

Goats	-	-	-	-	-	13,492
Sheep	-	-	-	-	-	1,068
Oxen	-	-	-	-	-	234
Horses, mules, donkeys	-	-	-	-	-	279
Pigs	-	-	-	-	-	92

A smaller number of goats than in 1892-3, but a slight increase in other animals.

Five forest fires occurred, but they were not of a serious nature.

During the year, the timber in a patch of forest at Erimites in the Akamas, which had been burnt in 1892, was worked up by the Forest Department, yielding a profit of 34*l.* The experiment would have been more successful, but for the difficulty of removing the timber from the forest.

Greater success has attended the experiment tried this year, and I believe for the first time in any part of the island, of the Forest Department supplying wood for ploughs and yokes at depôts established at various places in the district. With an outlay of 57*l.* 6*s.* 2*c.p.*, wood for 681 ploughs, and 509 yokes fashioned ready for use were obtained and placed in the various depôts. The sales were 241 ploughs and 327 yokes, yielding 66*l.* 2*s.* 8*c.p.*, and we have in store 440 ploughs and 182 yokes which will produce when sold 84*l.* 6*s.* 1½*c.p.* The gain is upwards of 90*l.* The revenue under the old system, which has been forfeited by the new

one, may be put at something between 45*l.* and 50*l.* leaving a net gain to Government of from 40*l.* to 50*l.* In addition to its success financially, so far as the Government is concerned, the scheme has been much welcomed by the people; they can now, with very much less delay and inconvenience to themselves, procure the ploughs and yokes they require and at a lower cost than formerly.

Public Works.

The only work of importance executed during the year was the building of new grain-stores at Latchi. The commodious stores which have been built were much required. The new salt-store built at Latchi has also been of service.

A commencement was made during the year, at the Limassol end, with the new carriage-road to connect Limassol and Ktima, a work much required. No further work, beyond small repairs, was done on the Ktima—Polis and Ktima-Kelokedara roads. The 50*l.* sanctioned for repairs on these roads was barely sufficient to keep them in passable order during the winter, and a greater expenditure will be required in the coming year if these roads are to be maintained.

Small sums were expended on repairs to existing buildings, including the Kelokedara and Chrysokhon Mudirates, the Police barracks and prison, Ktima, the pier at Papho and the lighthouse.

Education.

Under this head, I can only repeat what I said last year. Education is very backward in the district, the people show very little desire to have their children educated and they make no effort to open new schools.

Municipalities.

The municipalities of Papho and Polis continued to be administered by Commissions. In Papho a rate on property, in accordance with the provisions of the Municipal Council Law, 1882, was successfully levied for the first time, and good work has been done during the year in both municipalities in repairing the streets and in the lighting and cleaning of their towns.

Salt.

The opening of Government stores at Papho and Latchi for the sale of salt has been of advantage to the district.

The sales from the opening of the stores in June to the 31st March have been:—

				Okes.	Tons.
Papho	-	-	-	-	89,788 = 112½
Latchi	-	-	-	-	21,350 = 26½

The year on the whole has been a more favourable one for the district than many in the past, the harvest was, comparatively

speaking, abundant, and had prices been as satisfactory the year would have been marked as a very prosperous one.

I have, &c.

G. SMITH,

Commissioner.

May 20, 1894.

REPORT of the CIVIL COMMISSIONER for the
FAMAGUSTA DISTRICT.

CHIEF SECRETARY,

Famagusta, May 26, 1894.

IT is with much satisfaction that I have to record the fulfilment of my anticipation that the year 1893-94 would prove exceptionally good; rains were early and continuous up to April. This fact, combined with the large area cultivated, produced an abundant harvest, and the people are proportionately prosperous. A cold wave, accompanied by strong wind and hail, passed over the Messaorea during the early spring, which did some damage to the barley. The loss was estimated at about 10 per cent.

The following table represents the tithe-grain delivered into Government stores during the two years ending the 31st March last.

—	Wheat.	Barley.	Oats.	Vetches.
	Kilos.	Kilos.	Kilos.	Kilos.
1892-93	471,190	581,721	13,233	30,454
1893-94	852,677	805,869	40,126	110,919

Unfortunately prices have ruled low throughout the year and many villagers, who could afford to hold out in hopes of better times, have only recently disposed of their grain at a less figure than they could have commanded six months ago.

I see no reason to expect that a rise will take place, unless we hear of failures of crops in any of the large corn-producing countries.

Cotton, sesame, and carobs, produced crops of average abundance; but olives will not bear a satisfactory comparison to the yield of the previous year.

The returns are quoted in the following comparative table for the two years.

—	Cotton.	Sesame.	Carobs.	Olives.
	Okes.	Okes.	Cantars.	Okes.
1892-93	339,200	12,669	3,997	84,790
1893-94	576,255	62,406	4,013	71,142

Fruit is another subject requiring a few remarks, but a painful one to approach. The orange-scale has devastated the Varoshia Gardens and ruined what was once a very important industry.

The effects of the pest are best described by the following table, which is the export return for the two years already quoted above.

Oranges.	Pomegranates.	Sweet Lemons.	Limes.
No. 420,050	No. 715,090	No. 945,000	No. 9,500
63,250	618,325	332,100	15,550

Lemon trees are practically destroyed, and sweet lemons and oranges will soon follow, unless the growers take immediate advantage of the assistance offered by the Agricultural Department, at very small cost, to arrest the progress of the disease; but I fear the old system, "To do as their fathers have done before them," will effectually prevent the penetration of enlightened ideas.

It is satisfactory to turn to an industry that is making strides—that is silk. But here, again, there are drawbacks to extensive progress. The heavy import duties imposed by France (the customer for raw material) has so far crippled the growth of silk in Cyprus that people hesitate to embark as largely as they would be disposed to do were a reliable and steady market open to them.

Altogether the outlook is one of promise; but it must not be forgotten that Cyprus has been blessed with good harvests for the last six years, and, though the coming season bids fair to rank with previous good ones, the people are improvident, and a drought would mean poverty and want, and probably government aid, to tide over bad times.

Taxes have been fairly well paid, and the indebtedness of the villagers to the usurer must have considerably decreased.

The total arrears of this district on the 31st March 1893 were—exclusive of sheep and goat tax and relief of distress 1887—3,102*l.* 19*s.* 7½*c.p.* This amount was reduced by the sum of 707*l.* 19*s.* 2*d.* during the twelve months ending last March, leaving a sum of 2,395*l.* 0*s.* 5½*c.p.* uncollected.

I believe this figure has never been reached before, and with another five or six years of prosperity, which I conceive unreasonable to expect, the Famagusta Public Debt, if I may so term it, should be wiped out.

The small amount due from the Relief of Distress Loan, 1887, will be collected this year.

That the lot of the villager is easier, and that he is better able to meet the demands of the tax-gatherer, the following statement will prove:—

			£	s.	c.p.
Collections, 1893-4	-	-	24,353	15	1
Do. 1892-3	-	-	23,053	9	4
Increase	-	-	1,300	5	6

A considerable quantity of the 1893-94 grain was exported by the Government and, as account sales have not yet been received, it would be misleading to estimate collections and assessments. That some idea may be gathered by comparing assessments and collections, I have excluded tithe-grain in the following table; that is, the Government tithe represented is on produce only without the addition of either field-watchman or Locust-tax.

Tithes Produce.

—	Assessments.	Collected to 31st March.	Arrears 1st April.	Percentage uncollected.
	£ s. c.p.	£ s. c.p.	£ s. c.p.	Per cent.
1892-93	- 1,275 2 2	1,085 18 8	189 3 3	15·26
1893-94	- 1,858 4 6	1,649 16 4	208 8 2	11·21

Verghi.

—	Assessments.	Collected to 31st March.	Arrears 1st April.	Percentage uncollected.
	£ s. c.p.	£ s. c.p.	£ s. c.p.	Per cent.
1892-23	- 5,713 6 8	4,978 15 0	734 11 8	12·84
1893-94	- 5,697 18 1	5,198 6 0	499 3 8	8·79

Askerieh.

—	Assessments.	Collected to 31st March.	Arrears 1st April.	Percentage uncollected.
	£ s. c.p.	£ s. c.p.	£ s. c.p.	Per cent.
1892-93	- 1,074 12 5	881 16 4	192 16 1	17·87
1893-94	- 1,138 2 5	985 16 4	152 6 1	13·35

To turn to the consideration of general matters, it is noteworthy that 3,776 wild olive plants have been distributed over the district during the past year. Of these, over 3,000 have been planted in

the plains. This fact is noticeable because, until recently, olives were supposed to thrive better on the more elevated spots of the Karpas. The value of tree-planting is gradually but surely gaining ground.

The "Field-Watchman" law has been of great service to the agriculturist, and there is now no question as to its necessity.

The following table represents the total number of cases brought before the Court during the past financial year, and how they were disposed of.

	Convictions.	Dismissals, &c.	Withdrawn.	Total Number of Cases.
Famagusta -	39	12	2	53
Messaorea -	30	12	1	43
North Karpas -	10	9	—	19
South Karpas -	26	5	3	34
	105	38	6	149

Where cases have been dismissed or defendants discharged, the Inspectors are in no way to blame. The loss of these cases is to be accounted for by the fact of witnesses declining to state on oath the voluntary evidence given outside the Court, and those withdrawn are those in which owners of land decline to come forward to prosecute.

The mukhtars, who act gratuitously, have done their work well, and I have less difficulty in persuading good men to volunteer service than formerly. Rules have lately been drawn up under the "Public Health in Villages" law of 1892, and these when put into force, whilst imposing responsibility, will greatly add to the mukhtar's standing, and consequently his influence and authority will be proportionately increased.

The 1892 delimitations no longer justify the universal complaints that were prevalent during the past year. A notice was published on the 10th November 1893 calling upon all persons who made claim to trees or land to submit the same for consideration on or before the 10th May 1894. A notice similar to the above was issued on the completion of the delimitations in 1892, that is, six months were allowed for persons to send in claims of supposed rights to trees or land; but ignorance of the whole matter was pleaded.

It was therefore a wise step to reopen the question, and care was taken that a plea of ignorance would be of no avail. The law entails an appeal to court, but these people have a dread of such a step, and it therefore remains for the Forest Department to consider each case on its merits, and, if possible, to release land capable of cultivation.

It is hardly right to omit mention of roads and bridges in an annual report. I am aware that the necessities of the Famagusta

district must be considered with those of others, and hope that the Public Works Department will shortly be able, with the assistance of local prison labour, to place the trunk roads connecting Famagusta with Trikomo and Larnaca in a state of thorough repair. Several bridges are also required, the necessity for which has been duly reported to the Public Works Department.

The inhabitants of Heptakomi, Komi-Kebir and Patrilli have petitioned the Government to construct branch roads through these villages to join the main thoroughfare near Gastria. These will be economically constructed under Law VIII. of 1892 (amended by Law VII. of 1893).

The Trikomo-Rhizo-Karpas road is still in fair condition; but each year's wear and tear renders repair more expensive; but, should it be divided into sections and let out to villagers under contract, its upkeep could be maintained within reasonable bounds.

The Municipal Commission of Famagusta and Varoshia has during the past year met local requirements so far as public revenue permitted, and, notwithstanding a prolonged hot season up to the middle of November, a plentiful supply of water was obtained by constant repair, entailing an expenditure of over 30%, to the ancient aqueduct, the importance of which cannot be overestimated.

The road between Varoshia and Famagusta has been planted with trees on either side and placed in a thorough state of repair.

The streets of Varoshia are much improved; building is progressing, sanitation better attended to, and the town generally more prosperous.

In conclusion, I trust that it will be considered that the opening statement of my report, *i.e.* that the year 1893-4 was expected to be satisfactory, was founded on good grounds and that expectations have been fully realised.

B. TRAVERS
Commissioner.

REPORT of the CIVIL COMMISSIONER for the
KYRENIA DISTRICT.

CHIEF SECRETARY, Kyrenia, June 16, 1894.

I have the honour to forward herewith the annual Blue book returns relating to this district for the year ended 31st March 1894.

The wheat harvest of 1893 proved to be larger than that of any individual year since 1883, the produce being 25½ per cent. above the average annual production of ten years; the barley crop also was good, it having in the same period been but once exceeded, *viz.*, in 1888, the quantity produced last year was about 28 per cent. above the average of the ten years. Although oats are not as yet cultivated to any great extent, the returns show a remarkable increase within a few years, the quantity grown having steadily increased annually from 120 kiles in 1887 to 3,400 kiles in 1893.

Following on the failure of 1892, the olive crop of last year was a large one, but carobs were considerably below the average production of a year.

Agriculturists have felt severely the general fall in prices of nearly every class of produce during the year.

Although during 1893-4 there has been no general increase in crime, it is noteworthy that this district, in which murders are of rare occurrence, was the scene of two, and in all probability three, very bad cases of murder in 1893. The third case referred to is that of a forest guard who disappeared last October, and there is little doubt that he was the victim of premeditated crime. In each case persons were arrested on suspicion, but sufficient evidence could not be placed before the Courts to obtain conviction. The Police used every endeavour to get information, but the perpetrators of these three crimes still remain unknown to the authorities.

Of minor offences, the Knives Law, 1888, was put into operation in 38 instances, 37 charges were brought by the Police under the Field Watchmen's Laws, and 33 persons were proceeded against under the Game laws.

The people of this district have received much benefit from the hospital established in Kyrenia town, and have shown their appreciation by voluntarily contributing annually to the support of the institution. The hospital was in working order for only nine months of the year, but during that period 1,200 in and out-door patients received treatment. The average daily number of inpatients was 13.5, the number of beds available being 18.

In concluding this brief report, I beg to remark that it is somewhat difficult for me to report fully on the condition of the district and the occurrences of the year under review, as my appointment here commences only from the beginning of the present financial year.

F. G. GLOSSOP,
Commissioner.

REPORT of the CHIEF JUSTICE.

YOUR EXCELLENCY, Supreme Court, June 26, 1894.

IN forwarding the enclosed return, containing the criminal statistics for 1893-4, I have the honour to offer the following observations.

I regret that the return is not of a more favourable character, inasmuch as the figures show an increase of offences over the number reported last year. This increase has occurred in three of the six districts, and whilst it has occurred chiefly in petty offences dealt with by the Magisterial Courts, the number of graver offences, triable on information, is also greater than in the preceding year. A very large number of offences against the

Field Watchmen Law still continue to be reported, and the increase of offences in one district, Famagusta, is attributed, almost entirely, to the operation of this one law.

The number of offences shown in Table I., as reported to the magistrates, amounts this year to 7,361, as compared with 6,617 in the year 1892-93, an increase of 744. The districts of Nicosia and Famagusta are responsible for the greater part of this increase, the figures for the former being 478, and for the latter 392, in excess of those of the previous year. Papho shows an increase of 101, whilst in Larnaca the number of offences is 140, and in Limassol 89, less than last year. The state of crime in Kyrenia remains stationary, the actual number of offences reported this year being 880 as compared with 878 last year.

Of the 744 offences, 472, or about $63\frac{1}{2}$ per cent., arise from those offences classed under the heading "other offences" in Table I., the number of offences under which is largely due to offences against the Revenue, Municipal, and Forest Laws, the Knives Law, Field Watchmen's Law and other enactments of a similar nature, the breaches of which are not regarded as crimes in the popular acceptation of the word. The most unsatisfactory feature of Table I., however, is the fact that offences against the person show an increase of 81, and "theft of animals" an increase of 64.

Turning to Table II., I find that 9,172 persons were summoned before the courts as compared with 8,543 in 1892-3.

Of this number, 1,707 or about $18\frac{1}{2}$ per cent., were discharged through default of appearance of the complainant. This shows a considerable reduction on the percentage of last year, when about 24 per cent. of the persons accused were discharged from this cause. This is so far satisfactory, as showing that the increase of the fee on criminal summonses applied for by private individuals which, there was considerable reason to suppose, were applied for either recklessly or maliciously, has been productive of good. The rule of Court, by which the amount of the fee was raised from 2s. to 3s., came into force on the 1st November 1893, so that only five months of the period under review was affected by the alteration in the amount of the fee.

The number of persons discharged after hearing shows no tendency to decrease, the number this year amounting to 2,620, or $28\frac{1}{2}$ per cent. of the whole number, as compared with 27 per cent. last year.

The number of persons committed for trial has risen from 519 to 581, a substantial increase, and one of the most unsatisfactory features of the whole return.

The only noteworthy feature of Table III. appears to me to be the large reduction in the number of persons convicted summarily of malicious injuries to property. The number convicted during the year 1892-93, was 63, whilst for the year under review the number has fallen to 19, or about the average number before the coming into force of the Malicious Injury to Property Law, 1891. When last year I had to point out the very considerable increase in the number of convictions for this offence that had

taken place, I was inclined to attribute it to the operation of this law in rendering more certain the conviction of offenders, inasmuch as the inhabitants of a village, who, before the passing of the law, would have been too indifferent or too timid to come forward and give evidence against offenders, had probably since the passing of the law been induced to do so by the consideration that otherwise they would have to pay compensation to the person whose property was damaged. It is, of course, unsafe to draw general conclusions from the figures supplied by the working of a law that has been such a short time in operation, but if the large reduction in the number of persons convicted of causing malicious injury to property that has taken place this year be due to a falling off in the number of offences committed, owing to the fact that the risk of detection has largely increased, it would be a satisfactory result of the law.

The number of persons actually tried, including those in whose cases the Queen's Advocate entered a *nolle prosequi*, is 588 as compared with 519 in 1892-93.

This return, though unsatisfactory as compared with that for last year, compares very favourably with those for the three years preceding 1892-3, and, whilst I regret that I cannot again record a decrease this year, I do not think that there is any reason to suppose that the state of the Island as regards crime is sensibly worse than last year or that the improvement shown during the last few years by the decline in the number of persons tried for serious crimes has met with more than a merely temporary check. Slight fluctuations there must be from year to year.

The first observation I have to make upon the figures is that the number of persons in whose cases the Queen's Advocate entered a *nolle prosequi* has very largely increased, being 44 this year as compared with 17 last. This number, 44, is considerably higher than the figures of any preceding year, and is more than double the average. The number is to some extent swollen by the fact that one case comprised 11 prisoners; but even making allowance for this, the number is unduly great. As a *nolle prosequi* is entered on the responsibility of the Queen's Advocate alone, and in cases committed for trial both before the District Courts and the Assize Courts, I am unable to form any opinion in what proportion of these cases it is probable that no offence had been committed at all, and in what proportion of these it was probable that an offence had been committed, but in the opinion of the Queen's Advocate the evidence taken by the magistrates did not justify the accused being placed upon their trial.

Being struck with the fact that at the last Nicosia Assizes a *nolle prosequi* was entered in no less than four cases, I obtained the depositions and read them carefully, because it appeared to me that, if the Queen's Advocate's action was justified, it followed almost certainly that the magistrates had not exercised a wise discretion in committing the accused for trial. I came to the conclusion that in none of these cases was there the slightest hope of a conviction being obtained and that in two, if not three, of the cases it was highly probable that no offence had been committed at all. I

communicated with the magistrates and pointed out the necessity for the exercise of more discretion in committing cases for trial and hope my representations will have some effect. Where the evidence is so slight that there is no reasonable prospect of a conviction, it is much better that the magistrates should not commit for trial. Both time and expense are thereby saved, and, in the event of more evidence being subsequently procured, the accused person can be proceeded against again, whilst if once committed for trial, the entering of a *nolle prosequi* by the Queen's Advocate forms a bar to all further proceedings. Excluding the persons in whose cases a *nolle prosequi* was entered, the number actually tried on information during the year was 544, as compared with 500 during the previous year.

Of these persons, 232 were tried before the Assize Courts and 312 before the District Courts.

During the year 1892-3, 187 persons were tried before the Assize Courts and 313 before the District Courts, so that the numbers tried during the past year in the Assize Courts were 45 in excess of, and in the District Courts one less than, those tried in the previous year.

The system of reckoning each prisoner as a separate case appears to me to give a fictitious magnitude to the figures. Thus, the 232 prisoners tried in the Assize Court represent really only 142 separate offences, and, whilst the actual number of persons tried shows an increase of 45, the increase in the number of *cases* is only 27.

In examining the returns from the various courts to see to what classes of offences the increased number of cases is to be attributed this year, I am glad to observe that there is no increase in the most serious forms of offence. The number of persons tried for murder, manslaughter, robbery with violence, rape, and unnatural offences is substantially the same as before, and I find that the increase is to be attributed entirely to those offences classed under the headings, "Theft of animals," "Other offences against property," and "Other offences against the person." There is an increase of five in the number tried for attempted murder, which is unsatisfactory, and there is also an increase of 14 in the numbers tried for offences coming under the heading, "Other offences against the person," which comprises chiefly assaults and unlawful wounding. With these exceptions there is no increase in the number of those offences in which personal violence forms an ingredient. The number actually tried for murder, unnatural offences, and robbery with violence, shows a slight decrease, viz., four.

A law passed in 1892, entitled the False Evidence (Contradictory Statements Law) with a supplementary law bearing the same title passed last year, have proved most beneficial in their operation.

The object of these laws is to obviate the difficulty of having to prove which of two contradictory statements made by a person on oath before a magistrate or before a court is false, so as to subject the person making them to punishment for perjury. It was found to be in almost every case a matter

of great difficulty, and in a large proportion of cases a matter of impossibility, to prove satisfactorily which of two such statements was false, whilst the fact that false evidence had been given was apparent. A person would make a charge on oath of an offence, and, when the offender was brought before a Magisterial Court, deny every word stated in his sworn information, or, on the trial of an offender before a District or Assize Court, a witness would deny all the material facts which he had sworn to before the Magisterial Court before which his deposition was taken, and yet escape punishment owing to the difficulty of proving which of the two statements was false, whilst it was clear that one of them must be so. Under the provisions of the laws I have mentioned, the mere fact of these contradictory statements having been made, if the court is satisfied that the contradictory statement was made with the object of deceiving the court and obtaining the conviction or acquittal or committal for trial of the accused person, is sufficient to subject the person so making a contradictory statement to the punishment provided for giving false evidence. Several convictions have been obtained under these laws, and the result has been most salutary, and has already operated and will continue to operate as a check upon a form of perjury that was at one time very prevalent in the courts here.

Eleven convictions for perjury were obtained last year as against four the year before.

The work of the courts with regard to civil matters calls for no observation.

In the Supreme Court, 94 appeals from the judgments of the District Courts in civil actions were entered for hearing, and 67 were heard and disposed of.

Thirteen appeals from convictions of the District courts, under the provisions of the Criminal Appeals Law, 1889, were entered and decided.

The year has been signalised by the publication of the first volume of law reports published in Cyprus, containing the most important decisions of the Supreme Court from the year 1883 to the year 1891. A second volume, containing the reports from the year 1891 to the end of the year 1893, was also prepared, has been printed and will shortly, I hope, be issued. The need of adopting some method of making known the decisions of the Supreme Court has long been felt, and I hope that the reports now published will be of assistance both to the courts and the legal practitioners, and, incidentally, to the public at large. It was a work of no slight labour to collect and arrange the decisions of the court extending over so great a period of time, but, now that the system has once been adopted, it can be kept up from year to year with comparatively slight trouble.

W. J. SMITH,
Chief Justice.

His Excellency Sir W. J. Sendall, K.C.M.G.,
High Commissioner,
&c., &c., &c.

**CRIMINAL STATISTICS FOR THE YEAR ENDING THE
31ST MARCH 1894.**

I.—OFFENCES.

*Table showing the Number of Offences reported to the Magistrates
during 1893–94.*

District.	Total Number of Offences reported.	Offences against the Person.	Theft of Animals.	Offences* against Property (other than theft of Animals).	Other Offences.
Nicosia - -	2,434	828	90	38	1,478
Larnaca - -	935	150	22	37	726
Limassol - -	1,089	454	39	125	471
Famagusta - -	1,054	322	12	439	281
Papho - -	969	250	63	127	529
Kyrenia - -	880	156	11	92	621
Total - -	7,861	2,160	237	858	4,106

II.—APPREHENSIONS AND SUMMONSES.

*Table showing the Number of Persons brought before the Magistrates'
Courts by Arrest, Warrant, or Summons for Offences, and
how their Cases were disposed of in the Magistrates' Courts.*

—	Number of Persons dis- charged through Default of Appearance of Complainant.	Number of Persons discharged otherwise than through Default of Appearance of Complainant.	Number of Persons summarily Con- victed.*	Number of Persons Committed for Trial in the Superior Courts.	Total.
Offences against the person - -	1,054	679	597	244	2,574
Theft of animals - -	61	177	1	160	399
Offences against prop- erty other than theft of animals - -	112	438	450	78	1,075
Other offences - -	480	1,326	3,216	99	5,121
Total number of per- sons summoned or apprehended - -	1,707	2,620	4,264	581	9,172

NOTE.—Purely civil cases in which magistrates exercise jurisdiction are not included in this or the following table.

* Both offences against rights of property and injuries to the subjects of property are included.

III.—SUMMARY CONVICTIONS.

Table showing the Number of Persons Summarily Convicted for various Classes of Offences, and the kind of Punishments Inflicted.

Punishments.	Total Number of Persons convicted.	For Assaults and other Offences against the Person.	For Malicious Injuries to Property.	For Theft of Animals.	For Offences against Property other than Malicious Injuries to Property or Theft of Animals.	For Offences against Revenue Acts, and other Acts relating to the Social Economy of the Island.	For Other Offences.
Fine -	2,755	212	6	—	56	1,160	1,321
Imprisonment, in lieu of fine or surety -	565	71	5	—	12	204	273
Peremptory imprisonment -	680	298	7	1	58	19	287
Bound over with or without sureties or other trivial punishment -	319	20	1	—	6	11	281
Total -	4,319*	601	19	1	132	1,394	2,172

NOTE.—Where there has been an appeal from the magistrate's decision, the case is entered as finally decided, and not necessarily according to the magistrate's original decision.

* The difference between this and the total of persons summarily convicted in Table II., is accounted for by the fact that in cases where both fine and imprisonment are imposed on the same person, such person contributes only one of the numbers shown in Table II., while he may be shown under two heads in Table III.

IV.—INDICTMENTS AND INFORMATIONS IN THE SUPERIOR COURTS.

Including Courts analogous to the Courts of Quarter Sessions in England, i.e., District Courts, &c.

	Total.	Murder, other than Wife and Child Murder.	Man-slaughter.	Attempt at Murder.	Include in the Returns below the Indictments for attempts and Conspiracies to Commit the several Offences.						Theft of Animals.	Other Offences against Property.	Miscellaneous Offences.
					Murder of Wife, Reputed Wife, or Concubine.	Rape.	Un-natural crimes.	Other Offences against the Person.	Malicious Injuries to Property.	Robbery with Violence.			
Judgment for the Crown -	343	10	7	2	1	6	9	108	5	16	49	89	41
Judgment for the prisoner -	201	8	1	9	—	8	5	44	4	21	42	48	11
Prisoner found insane -	—	—	—	—	—	—	—	—	—	—	—	—	—
Case fell through for want of prosecution, including cases where the Queen's Advocate entered a <i>nolle prosequi</i> -	44	2	—	1	—	11*	4	1	1	3	4	11	6
Total -	588	20	8	12	1	25	18	153	10	40	95	148	58

* One case.

V.—COMPARATIVE TABLE.

Comparative Table showing the Number of Offences, Apprehensions, Convictions, and Acquittals for the last four years.

—	1890-91.	1891-92.	1892-93.	1893-94.
The number of offences reported to the police or to the magistrates - - -	5,849	6,324	7,717	—
The number of persons apprehended by the police or summoned before the magistrates - - -	6,790	6,847	8,543	—
The number of summary convictions :—				
1. For offences against the person - - -	449	478	504	—
2. For theft of animals - -	2	3	4	—
3. For offences against property other than theft of animals -	132	151	259	—
4. For other offences - - -	2,169	1,983	2,906	—
	2,752	2,615	3,673	—
The number of convictions in the Superior Courts :—				
1. For offences against the person - - -	134	129	125	—
2. For theft of animals - -	127	66	34	—
3. For offences against property other than theft of animals -	158	129	120	—
4. For other offences - - -	46	54	45	—
	465	378	324	—
The number of persons acquitted* :—				
1. In the Inferior Courts -	1,740	1,671	2,301	—
2. In the Superior Courts -	241	260	176	—
	1,981	1,931	2,477	—

* Does not include discharges by default of appearance of complaint or cases where the Queen's Advocate entered a *nolle prosequi*.

REPORT of the CIVIL COMMISSIONER for the LARNACA DISTRICT.

(Extract.)

CHIEF SECRETARY,

Larnaca, June 30, 1894.

I HAVE had the honour to forward the statistical returns of the District of Larnaca for the year ended March 31, 1894.

Beyond these I have little to record but the quiet which generally reigns in a year of good harvests.

I was absent from Cyprus between May 6 and September 26, 1893, my work being performed first by Major the Hon. E. J. Chetwynd, later by Mr. F. G. Glossop.

The grain harvest was good, but prices everywhere were very low. The grain-tithe system worked smoothly, but it were to be wished that the stores could be concentrated somewhere outside the Town, where the work of cleaning could be carried on without annoyance, from noise, dust and obstructed streets, to the inhabitants.

The wine industry proved singularly unremunerative. Villagers have brought in their produce to the town from a distance of 12 hours, and failed to find buyers at 5 c.p. the *couza* of eight okes.

In 27 villages were produced :—

1893.

—	Red.	Black.	Comanderia.	Spirit.
Okes - -	269,472	224,272	59,984	249,744
price - -	25 paras	32½ paras	60 paras	10 paras

Oats and vetches were perhaps the only products which escaped the general depression of prices, and I am glad to note that more of these were sown last autumn. The general fall in the prices of cereals will be felt, I fear, more this year, when the merchants who have been the greatest losers, begin to press the peasants for the recovery of outstanding advances.

Among other products of the District, 5,505 tons of Carobs, value 18,597*l.*; 2,139 tons of Gypsum, value 1,366*l.*; 1,530 tons of Terra Umbra, value 788*l.*; figure in the list of exports. Two hundred and fifty-eight game licenses and 75 passports were issued from my office.

In the District Hospital (exclusive of Zaptiehs and prisoners) 50 persons were treated as in-patients and 1,250 as out-patients. The detachment of police has been always under strength. Happily crime has been very slight.

The Prison has been sometimes overcrowded, but always healthy and orderly. The daily average on the sick list was 2·55. Seven graver cases were treated in hospital, among which occurred one death.

Between August 22 and October 14, 1893, salt was won from the salines by free (contract) labour, okes 5,545,600, at a cost of 676*l.* 15*s.* 4c.p., by convict labour 1,000,000 okes at a cost of 54*l.* Salt was sold during the year for Island consumption only, 649,313 okes in weight and 2,705*l.* 9*s.* 4c.p. in value. But this

was directly from the Lake and does not include the quantity shipped to the dépôts newly established on the coast of other Districts. These dépôts have been, I understand, a very great boon to the people.

The see of Citium was filled at last, by the election on April 15, 1893, of Cyrillos, Bishop of Kyrenia, M.L.C.

The deaths during the year of Chevalier R. Mattei, C.M.G., and Mr. J. A. Mackay should be noticed. Mr. Mattei's early work as the perfecter of a system of Locust destruction is well-known and was recognised by honours. Mr. Mackay, a Scotchman of remarkable energy and integrity, is much regretted here. But the failure of both to make farming on a large scale yield even moderate profit ought to be instructive. The enhanced rate of wages and the greater freedom of contract which have followed the British occupation will make it very difficult for any man to hold profitably more arable land than he can cultivate with his own oxen, his own labour and that of his family.

I am glad to point out that in 11 out of 50 villages containing Christian inhabitants sums varying in each case from 50% to 2,000%, have been devoted during the last ten years to the rebuilding or restoration of churches. Mosques and schools also have been frequently repaired by Moslem villagers. In the way of public works much is wanted, but something at least has been done. The road from Ora, which but for the shortsightedness of the villagers of Layia and Vavla might have been continued to Choïrokoitia, should be a very useful work. It ought to be an aim, by improving existing tracks, to make every village easily accessible for the district centre. Not only the villagers but every department of the District administration would feel the benefit.

C. DELAVAL COBHAM,
Commissioner.

REPORT of the CIVIL COMMISSIONER for the NICOSIA DISTRICT.

Commissioner's Office, Nicosia,
CHIEF SECRETARY TO GOVERNMENT, September 8, 1894.

WITH reference to your Circular, of 5th March last, I have the honour to submit a short report on this District during the year 1893-94.

I have to express my regret at delay in furnishing the report.
M. KING,
Commissioner.

REPORT ON NICOSIA DISTRICT for the year 1893-94.

Agriculture.

Although a great increase was shown in every class of produce over the figures of 1892, the results of the year under report can scarcely be regarded as entirely satisfactory. The demand, particularly for cereals, was small in comparison, locally by reason of the very abundance of the crop, and from outside from causes that I need not enter upon. Prices, therefore, fell off in proportion, and, as a consequence, the value to the District of the produce of the year was, I estimate, barely 20,000*l.* more than that of 1892. The increase in the yield was most marked in regard to cereals, the figures for the four items being as follows:—

—					1892.	1893.
					Kiles.	Kiles.
Wheat	-	-	-	-	388,204	588,861
Barley	-	-	-	-	574,930	615,993
Vetches	-	-	-	-	19,213	91,211
Oats	-	-	-	-	13,172	26,033

The wheat crop, therefore, showed an improvement of 50 per cent. on that of the previous year; vetches gave nearly five times as much; oats yielded double the quantity; while barley showed the least advance, the increase being equal to but seven per cent. The value of each year's crop, was, according to my calculations, 120,000*l.* for 1892, and 130,000*l.* for 1893, a difference of 10,000*l.* in favour of the latter year, a gain, however, that was, I think, more apparent than real, as at the end of the year a large quantity of grain remained undisposed of, and in some villages it would, I believe, be no exaggeration to say that more than the half of the yield of the harvest of 1893 remained on hand at the time of sowing for the season of 1894, and even at the time of writing some stocks still remain, the value of which has, of course, depreciated to the level of that of the new season's grain.

Other articles of produce, notably olives and cotton, showed an advance but little inferior to that of cereals, and the increase of value on this account may be estimated at nearly the same figure, viz., about 11,000*l.*, the assessed value of titheable products for the year being 31,000*l.* against about 20,000*l.* in 1892. These figures do not include the value of cotton and aniseed, at which I have no means of arriving, but which, viewing the fact that in each case the land under cultivation in 1893 far exceeded that sown in 1892, must have been something considerable.

	1892.	1893.
Cotton - - - - -	Dms. 6,123	Dms. 7,167
Aniseed - - - - -	1,827	3,130

Aniseed.

The cultivation of the article last referred to is spreading considerably in this District. At first limited to the Nahieh of Morfon, it has now gained a footing in other Nahiehs, and no doubt each of the coming few years will show a still increased area under aniseed. Indeed, it has much to recommend it to the native farmer. For its profitable cultivation neither knowledge, experience, or any great degree of care on the part of the farmer appear to be required. Nor is it absolutely necessary that the soil should be of superior quality or that a supply of water should be at hand. With ordinary care, on ordinary soil, and under ordinary conditions, a fair crop can always be relied on, and as the demand for the seed is constant, and the price varies but little, a considerable profit has up to the present been the invariable result of its cultivation. But I think the day is not very distant when the agriculturist will recognise the fact that exhausted lands, and steadily diminishing crops, are too heavy a price to pay for the profits now so easily gained, and the cultivation of aniseed will not improbably be abandoned as suddenly as it was taken up.

Wine.

In the other chief product of the district, wine, the increase in the quantity yielded over that of 1892 was also remarkable.

In 1892 the quantity of wine assessed was kouzas 181,225, and of spirits, kouzas 9,598, while in 1893 the result was kouzas 312,650 and kouzas 17,187, respectively, giving an increase of 75 per cent. on the wine, and somewhat more on the spirit. The quality of the wine was uniformly good, but neither quantity nor quality availed to benefit the producer, the wine market suffering, perhaps, more than its share of the general depression. The values placed upon the wine for the assessment of duty were lower than ever fixed before, still there were not wanting those who declared that these low rates were out of all proportion to those at which the wine was actually sold. However this may have been, there is no doubt the demand for this article in 1893 was but insignificant, that the quantity disposed of was sold at rates ruinously low; and that large stocks remain from that year's vintage that will probably have to be thrown away to make room for that of 1894. Truly, the wine producing business is now passing through a trial from which, if it does recover, the effects will be for a long time very severely felt.

Caroubs.

Caroubs yielded a crop of slightly more than 1,500 kantars of a value of 1,050*l*.

The only improvement in agriculture that can be recorded is the successful introduction of American cotton-seed, and its willing adoption by most of principal agriculturists. The seed was actually introduced in 1891, but it was not until the year under report that it really can be said to have obtained a footing in the district. The Egyptian seed, introduced by government a few years ago, has proved a complete failure. Its character was, apparently, known in advance, consequently but few could be induced to give it a trial; those that did condemned it unsparingly.

Field Watchmen's Law.

The Field Watchmen's Law, 1885, continued to operate in the manner to which I have drawn attention in previous reports (with advantage in one sense) the reverse in another. In my humble opinion, this enactment will never work satisfactorily until the clauses conferring summary jurisdiction (Part IV.) on village commissions have been repealed.

Revenue.

The condition of the Island being such as I have described, there was, naturally, a lack of money during the year, and consequently the collections fell short of their usual standard. The cereal tithe, which is now taken in kind all over the district, was almost all gathered in in the Nahiehs of Dagħ and Diermenlik. In Lefca a few kiles remained undelivered, but in Morfou, I regret to say, the quantity was somewhat large.

Law, Order, Police.

There was a gratifying diminution in the number of cases of serious crime during the year. One murder was committed for which a conviction was obtained, and the criminal suffered the extreme penalty of the law. The police performed their varied duties fairly satisfactorily, but, undermanned and overworked, as the detachment, indeed, I believe, the whole force, has been for a long period, a high degree of efficiency can scarcely be looked for. Moreover, the force has gradually been losing the services of most of the old and seasoned men, their places being taken by immature lads, many of them of a far from desirable stamp. These, indeed, are the only candidates that offer, and, no doubt, so long as the present conditions of pay and service remain, an improvement can scarcely be expected.

The establishment of rural stations has apparently had a very beneficial effect as regards the suppression of agrarian crime.

Public Works.

An iron bridge over the Yallia River at Pyroï, to replace the stone structure destroyed in 1885, was completed, and opened for traffic in the autumn; and a new building, to be occupied as a prison, was pushed on towards completion. To the people of the town of Morfou a loan was made of 285*l.* from agricultural bank funds to enable them to carry out certain irrigation works for the benefit of their lands. The scheme initiated in the year 1887 for the irrigation of the lands of Mora, Exometochi, &c. was revised, but the opposition of certain villages lower down in the Messarian plain at present stands in the way of its final adoption.

Municipal.

The municipal government of the town remained in the hands of the Commission of which I was President. Hampered by want of funds and the passive opposition of nearly the whole of the population of the town, the Commission could do little more than carry on the most necessary work of conservancy, lighting, and repairs. However, by means of a loan from the Ottoman Bank, guaranteed by the Government, one important work was commenced and brought to completion before the end of the financial year. At a cost of little more than 600*l.* the entire length of the town drain has been cleaned out, rebuilt, and in parts covered with masonry, and it is hoped that a long-standing nuisance, and source of danger to the public health will have been removed. Some hundreds of trees have been planted along certain of the principal thoroughfares of the town, and in some of the open spaces, so that in a few years, should they be spared so long, much grateful shelter will thereby be afforded against the fierce rays of the summer sun. The Municipal Commission of Morfou still exists. The President, fired by the example of Nicosia, planted some 400 eucalyptus trees in the town, but his labour was, unfortunately, in vain, for but one tree remains as a memorial of his well-meant endeavour to provide shade for the townspeople. In a few weeks the ruthless hand of the destroyer had uprooted every tree, save that one above referred to, and, not content with obliterating the trees, had also annexed the wooden guard-rails that had been provided for their protection. Arboriculture is, apparently, not in favour in Morfou.

The health of the District was, I believe, generally good during the year. Disease among sheep continued, but affected the flocks of a few villages only. The condition of the rural population seemed fairly good; money, of course, was scarce, but every article of consumption was abundant and cheap, particularly bread-stuffs. So, whatever may befall, should the state of affairs described in the early part of this report continue into next year, no apprehensions of actual distress need be entertained.

In the town, business was slack, almost at a standstill.

Nicosia, September 8, 1894.

M. KING,
Commissioner.

REPORT of the RECEIVER-GENERAL.

REPORT on the working of the REVENUE DEPARTMENT for
the twelve months ended 31st March 1894.

		£
The collections in respect of actual revenue		
during the 12 months amounted to	-	177,053
Besides which the officers of the department		
collected on account of other services a		
sum of	-	17,266
Making the total encashments		£194,319

The following table shows how the encashments of revenue for the twelve months compared with the receipts of 1892-93:—

	Year ended March 31,		Increase.	Decrease.
	1894.	1893.		
	£	£	£	£
Tithes - - -	54,608	61,668	—	7,055
Verghis - - -	29,983	27,587	2,396	—
Bedel askerie - -	5,178	4,415	763	—
Sheep, goat, and pig taxes	10,118	11,754	—	1,636
Customs - - -	25,002	27,851	—	2,849
Excise - - -	26,872	28,726	—	1,854
Post Office - - -	2,324	2,247	77	—
Court receipts and stamps	7,228	7,037	191	—
Defter Hakani - -	4,373	4,909	—	536
Port and wharfage dues -	6,918	7,355	—	437
Other receipts - -	4,449	6,389	—	1,940
Totals - - -	177,053	189,933	3,427	16,307
			Net decrease, £12,880	

Tithes.

The bulk of the Tithe receipts depended as usual on the result of the cereal harvest. The harvest was a good one, but cereal prices fell to a ruinous extent in the course of the year, resulting in a serious contraction of revenue from this source.

Next in importance to the tithe on cereals is the tithe on carobs or locust-beans, taken at the time of exportation. The low prices of cereals influenced the demand for carobs and brought about a fall of prices by which the revenue was further injuriously affected.

The tithe on silk-cocoons is also taken on export, and here again the Government revenue had to face a serious reduction in value.

The total tithe assessment will appear from the following comparative statement:—

—	Year ended March 31,		Increase.	Decrease.
	1894.	1893.		
Assessed tithes -	£ 57,208	£ 44,378	£ 12,825	£ —
Tithes collected on exportation	8,281	10,450	—	2,169
Totals -	65,484	54,828	—	—

Verghis and Bedel Askerie.

Some improvement is manifest in the collection of these two items of Revenue as compared with the receipts of 1892-83. This improvement was due to the efforts of Commissioners and their revenue staff to encash as large an amount as possible. This was especially the case in the district of Papho, where unwonted success attended the efforts of the revenue collectors.

The assessments of Verghi and Bedel Askerie for 1893-94 are compared below with the assessments of 1892-93:—

—	Year ended March 31,		Increase.
	1894.	1893.	
Verghis - - - -	£ 29,979	£ 29,663	£ 316
Bedel askerie - - -	5,551	5,442	109
Total - - - -	35,530	35,105	425

Sheep, Goat, and Pig Taxes.

A cold winter and wet spring combined to reduce the number of animals. Many lambs and kids died off for the same reason,

so reducing the tax-paying power of the flockowners in a marked degree. The number of animals assessed were :—

	Year ended March 31,		Decrease.
	1894.	1893.	
Sheep - - -	245,850	254,032	8,182
Goats - - -	227,022	250,002	22,980
Pigs - - -	29,099	37,598	7,499

Customs.

The decrease in the yield of the Customs duties was in part an indirect result of the fall in prices of all agricultural produce. The purchasing power of the people was reduced and the importation of manufactured goods was checked. In part the decrease is due directly to the fall in prices, which led to decreased export of cotton and raisins.

The receipts under the several heads which go to make up the total of customs receipts are given below :—

	Year ended March 31,		Decrease.
	1894.	1893.	
	£ s. c.p.	£ s. c.p.	£ s. c.p.
Import duty - - -	23,910 15 8	25,615 12 8	1,704 17 0
Export duty - - -	887 6 6	2,015 10 7	1,128 4 1
Store rent - - -	182 16 6	184 5 2	1 8 5
Fines - - -	20 15 4	35 14 4	14 19 0
Totals - - -	25,001 14 6	27,851 3 3	2,849 8 6

Excise.

The excise receipts showed a decrease of upwards of 1,800*l.* as compared with the receipts of the preceding year. The articles which chiefly showed a falling off were wine and tobacco duties.

The falling off in wine duties was due to the low prices and the difficulty experienced by the wine manufacturers to sell their stocks and pay their taxes; the decrease in tobacco duties was also due indirectly to the fall in prices, the people being unable to indulge as freely in the consumption of tobacco as in more prosperous years. Another item of Excise revenue which showed a marked decrease was the receipts from game licences, a decrease which can only be attributed to the same cause.

The was an important increase in the revenue derived from the salt monopoly, due to greater facilities being afforded to purchasers by the establishment of salt depôts in the several districts of the Island.

The total excise revenue was made up as follows :—

	Year ended March 31,		Increase.	Decrease.
	1894.	1893.		
	£ s. c.p.	£ s. c.p.	£ s. c.p.	£ s. c.p.
Tobacco duties -	13,080 0 7	13,727 8 5	—	647 7 7
Wine and spirit duties -	5,574 5 2	7,487 5 2	—	1,913 0 0
Salt -	4,445 14 2	3,651 19 8	793 14 3	—
Licences, viz. :—				
Wine -	942 2 0	903 3 3	38 18 6	—
Tobacco -	1,421 12 6	1,437 3 3	—	15 10 6
Sponge -	287 10 0	260 0 0	27 10 0	—
Game -	1,047 0 0	1,184 10 0	—	137 10 0
Other -	61 9 5	50 17 0	10 12 5	—
Fines and forfeitures	12 7 8	23 14 4	—	11 6 5
Total -	26,872 2 3	28,726 1 7	870 15 5	2,724 15 0
			Net decrease, £1,853 19 4	

The vintage of 1893 was an abundant one and is compared in the following statement with the vintage of 1892 :—

	1893.	1892.
	Gallons.	Gallons.
Commanderia - - - -	96,692	99,673
Black and Red wines - - - -	3,520,910	2,053,118
Spirit - - - -	190,528	111,278
Excise duty - - - -	£6,737	£5,987

The licences issued for the sale of intoxicating liquors show an increase as compared with 1892–3, while there was a small decrease in the number of licences issued for the sale of Tobacco.

	Year ended March 31,	
	1894.	1893.
Wine and spirit licences - -	1,162	1,120
„ „ Fair licences - -	209	202
Tobacco licences - - -	2,624	2,650

A large amount of salt, 8,098 tons, was collected during the year. Of this quantity 1,166 tons were collected, at a cost of 53*l.*, by means of convict labour, while by means of free labour were collected 6,932 tons, at a cost of 677*l.* The work of collection commenced on 21st August and terminated the 14th October 1893.

The quantity of salt sold for consumption was 1,334 tons, as compared with 1,100 tons in 1892-3. In the course of the year, Government salt depôts were opened at Limassol, Papho, Kyrenia, Latzi, Famagusta, Gastroulli and Karavastassi.

Port and Wharfage Dues.

The receipts from these sources show a comparatively small decrease of 436*l.* as compared with the receipts of the previous twelve months. The falling off is due wholly to slackness of trade. The total receipts were made up as under:--

	Year ended March 31,		Increase.	Decrease.
	1894.	1893.		
	£ s. c.p.	£ s. c.p.	£ s. c.p.	£ s. c.p.
Port and health dues	3,581 12 6	3,543 5 2	38 7 4	—
Wharfage dues -	3,032 11 2	3,608 7 0	—	575 15 7
Quarantine dues -	304 7 0	203 5 3	101 1 6	--
Total - -	6,918 10 8	7,354 17 5	139 9 1	575 15 7
			Net decrease, 436 <i>l.</i> 6 <i>s.</i> 6 <i>c.p.</i>	

Post Office.

The Postal Revenue shows a small but healthy increase of 77*l.*

Court Receipts and Stamps.

The increase of revenue under this head observed in former years was maintained during the period under review.

Defter Hakani.

The receipts under this head did not maintain the improvement noticed in 1892-93. Owing to the less prosperous condition of the people fewer transactions took place in connection with the transfer and ownership of land, resulting in a decrease of revenue as compared with the preceding year of 536*l.*

Other Receipts.

The items of revenue which go to make up this amount are the following :—

	£
Royalties - - - - -	329
Forest Revenue - - - - -	1,279
Payments for specific services, &c. - - - - -	1,473
Interest on Government Moneys - - - - -	796
Miscellaneous - - - - -	572
	£4,449

Collections other than Revenue.

The undermentioned amounts collected during the year go to make up the sum of 17,266*l.* encashed for collections other than Revenue :—

	£
Locust Taxes - - - - -	4,497
Field Watchmen's Taxes - - - - -	9,333
Evkaf Receipts - - - - -	1,628
Abdullah Bey Sandjak - - - - -	594
Kuklia Chiflik - - - - -	487
Yoklama Fees - - - - -	137
Reimbursements - - - - -	590
	£17,266

Locust Taxes.

The balance in hand on the 31st March 1894 amounted to 9,405*l.*, an increase, as compared with the balance on the 31st March 1893, of 425*l.* This is exclusive of the 12,000*l.* transferred to the Agricultural Bank Fund.

Field Watchmen's Taxes.

These taxes continued to be collected during the year on all titheable produce and on goats.

The balance on the 31st March 1894, after defraying all costs connected with the working of system, was 4,413*l.*

Abdallah Bey Sandjak.

The revenues of the Abdallah Bey Sandjak continued to be administered during the year by the Government for the owner. The gross tithe assessment amounted to 1,507*l.* 6*s.* 0*c.p.*, and the net proceeds paid to the owner amounted to 1,130*l.* 9*s.* 5*c.p.*

Kouklío Chiftik.

The Government also continued to administer the tithe revenue of this property, situated in the Papho district. The sum paid to the owner on account of the year's assessment was 660*l.*, including an overpayment of 3*l.* 13*s.* 6*c.p.* The gross revenue amounted to 750*l.* 1*s.* 5*c.p.*

Yoklama Fees.

The amount of the Yoklama fees collected for the Land Registry Department was 137*l.* as compared with 142*l.* in 1892-93, and 127*l.* in 1891-92.

Reimbursements.

Payments on this account amounted to 519*l.* 17*s.* 8*d.*, viz. :—

	£	s.	c.p.
Repayments on account of advance for relief of distress in Carpass, 1887 -	514	18	7
Repayments on account of seed-corn advanced in the Nicosia District -	36	5	2
Repayments on account of seed-corn advanced in the Papho District -	4	6	2
Repayments on account of English seed-barley -	34	7	6
	£589	17	8

Accounts, &c.

The balance of accounts in charge of the Receiver-General on the 31st March 1894 amounted to 51,949*l.*, made up as follows :—

	£
General account of Government as shown in account current -	35,895
Agricultural bank balance with Imperial Ottoman Bank -	13,213
Orphans' Trust fund -	2,841
	£51,949

The balance of the general account of the Government was reduced in the course of the twelve months from 69,669*l.*, at which it stood on the 31st March 1893, to 35,895*l.* as shown above.

The balance to the credit of the Agricultural Bank was reduced in the same period from 13,335*l.* to 13,213*l.* During the year the usual advances were made to cover works on the Pedias and Idalia Canals, Agios-Sergios Irrigation Works, Kiti Irrigation Works, the Limassol Wine Roads, the Lefkara-Kofinou road and the Cherokitia-Ora road. Repayments were made on account of these works, leaving the balance as shown above. Loans also were made to the inhabitants of Flamondi and Morphou to enable

them to execute works for the improvement of their water supplies.

The rate of interest on the 12,000*l.* placed on deposit with the Imperial Ottoman Bank was reduced on renewal from 3 to 2½ per cent., the amount realised by this interest being devoted by the Agricultural Department to various services connected with the promotion and improvement of agriculture.

Expenditure.

The disbursements on account of the service of the Government or the Island amounted for the 12 months to 117,654*l.* To this has to be added the so-called tribute payments of 92,799*l.*, making the total expenditure for 1893-94 to be 210,453*l.*

The revenue receipts for the same period amounted to 177,053*l.* and if to this be added the balance of 4,617*l.* carried over from the preceding year the total income of the twelvemonths will be seen to have been 181,670*l.* a deficit as compared with the expenditure of 28,783*l.*

Collection of Arrears.

Owing to the circumstances of the year, the fall in prices and the fact that a considerable quantity of tithe grain held by Government had not been disposed of by the 31st March, the collection of arrears did not progress as satisfactorily as might be wished. The following statement shows what was done. The amount of arrears shown as outstanding on March 31st includes a sum of 11,000*l.*, value of tithe grain of 1893 realised and carried to revenue subsequently to the 31st March 1894.

To arrive at a just appreciation of the actual arrears it will be necessary to deduct this sum from the amount shown below :—

Districts.	Arrears of 1885-86 to 1892-93 and Assessments of 1893-94.	Outstanding on March 31, 1894.	Collected or written off.				
			Amount.	Percentage.			
	£	s. c.p.	£	s. c.p.	£	s. c.p.	Per Cent.
Nicosia - -	45,194	7 7	17,622	14 6	27,571	13 1	61·1
Larnaca - -	15,586	5 0	7,120	12 8	8,465	12 1	54·3
Limassol - -	30,867	9 4	13,496	0 5	17,371	8 8	56·3
Famagusta - -	30,939	18 3	6,086	13 7	24,853	4 5	80·3
Papho - -	30,440	1 7	16,808	9 5	13,631	12 2	44·7
Kyrenia - -	10,152	13 5	3,668	18 3	6,483	15 2	63·9
Wine duties, Larnaca, collected by Customs	565	7 5	333	10 1	231	17 4	41·0
	163,746	3 4	65,136	19 8	98,609	3 5	60·2

The total of arrears written off as irrecoverable during the 12 months amounted to 1,610*l.*, a very considerable reduction as compared with previous years.

This reduction is due in part to the fact that the bulk of the old arrears had been dealt with already and in part to the fact that collectors were not encouraged to send in recommendations for the writing off of any items respecting which there remained a hope, however faint, of possible recovery.

The assessments of 1893 amounted to 110,828*l*. of which there remained outstanding at the close of the year 37,283*l*., equal to 33½ per cent. of the whole assessment.

Crops of 1893.

The crops of 1893 were exceptionally abundant, as will be seen from the comparison below with the production of the three preceding years.

	Year.			
	1893.	1892.	1891.	1890.
Wheat -	Kiles or Bushels. 2,381,376	Kiles or Bushels. 1,405,268	Kiles or Bushels. 2,107,900	Kiles or Bushels. 2,148,176
Barley -	2,443,075	1,877,812	2,000,190	2,480,128
Vetches	272,463	77,642	191,000	446,896
Oats -	289,171	197,000	235,000	138,160
	5,386,085	3,557,242	4,534,090	5,213,360

It will be seen that the total yield was some three per cent. better than the yield of 1890, which was regarded as a year of exceptional abundance.

Owing to the low prices that prevailed during the latter part of the year under review, the exports of grain were not so large as might have been anticipated, holders of grain keeping over their stocks in the hope of obtaining an improved market.

In the following statement a comparison is made of the cereal tithe assessments of 1893 and of the three preceding years.

	Year.			
	1893.	1892.	1891.	1890.
	Kiles or Bushels. 218,073	Kiles or Bushels. 128,696	Kiles or Bushels. 192,932	Kiles or Bushels. 199,236
	227,443	177,559	185,181	233,286
	25,832	7,181	22,219	41,683
	22,372	14,606	14,176	10,025
	493,720	328,042	414,458	484,230

The extent of land under cotton cultivation was returned as 28,775 donums, as compared with 21,436 donums in 1892, and 41,775 donums in 1891.

The summer crops were abundant and, speaking generally, it may be said that all the products of the soil were much above the average.

The carob crop was a large one, though somewhat behind the crop of 1892.

The Customs and Revenue returns show that there was an improvement in the quantity of silk and silk cocoons produced and that satisfactory prices were obtained.

Cereal Tithe in Kind.

The tithe of cereals continued to be taken in kind throughout the Island in 1893.

Payment was taken in kind of the Locust Taxes and Field-Watchmen's Taxes payable on the cereal tithes, the cereal tithes of the Abdallah Bey Sandjak, of the Kouklia Chiflik, and of the Hala Sultan Tekke, as well as the tithes due to the Evcaf, were also collected in kind by the officers of the Government.

The same arrangements prevailed as in former years, the grain being conveyed to the government stores by the producers and there delivered, the usual allowance being paid to them for transport.

Grain stores were opened at Larnaca, Nicosia, Karavostassi, Limassol, Famagusta, Gastroulli, Chelones, Akanthon, Papho, Latchi, and Kyrenia. The store at Akanthon was opened there this year for the first time.

The quantities of grain received into store at each of the places will appear from the following table:—

	Description of Grain.			
	Wheat.	Barley.	Vetches.	Oats.
	Kiles or Bushels.	Kiles or Bushels.	Kiles or Bushels.	Kiles or Bushels.
Larnaca - - - -	45,430	59,348	6,277	5,518
Nicosia - - - -	36,512	36,328	6,566	1,221
Karavostassi - - -	19,914	24,072	2,946	752
Limassol - - - -	24,139	26,520	1,651	4,054
Famagusta - - - -	49,737	49,057	8,835	2,059
Gastroulli - - - -	20,496	16,710	1,270	244
Chelones - - - -	3,181	5,017	141	95
Akanthon - - - -	6,055	3,069	212	25
Papho - - - -	25,074	27,356	1,528	10,977
Latchi - - - -	14,910	8,229	886	5,935
Kyrenia - - - -	14,603	15,916	1,299	373
	265,051	271,617	31,561	31,253

All the grain assessed was delivered at the appointed places and in due time with the exception of the undermentioned quantities :—

Districts.	Description of Grain.			
	Wheat.	Barley.	Vetches.	Oats.
	Kiles or bushels.	Kiles of bushels.	Kiles or bushels.	Kiles of bushels.
Nicosia - - -	197	254	24	23
Limassol - - -	7	9	—	2
Famagusta - - -	6	2	—	—
Papho - - -	32	89	2	28
	242	354	26	53

In the Districts of Larnaca and Kyrenia all the grain was delivered in due time.

In almost all, if not quite all, the cases of short delivery the value of the grain short delivered has been recovered from the tithe payers and carried to revenue.

Owing to the fall in prices it was not so easy to dispose of the grain as in former years. Local purchasers were found for the barley at prices ranging from 13 c.p. to 13½ c.p. the kile ; for the vetches at 22½ to 24 c.p. the kile ; and for the Oats at 9 to 13 c.p. the kile. It was also found possible to sell locally the wheat stored at Nicosia, Karavastassi, Kyrenia, Famagusta and Akanthon at prices varying from 21 to 27 c.p. the kile, but the wheat stored at the other places, viz.,—Larnaca, Limassol, Papho, Latzi, Gastroulli and Chelones, had to be shipped to foreign markets, where it was disposed of, in some instances at low prices.

Eight small sailing ships were dispatched with cargoes, amounting to 3,053 tons of wheat, to various ports of France, Italy and Egypt, in addition to which small parcels were sent by steamers to France and Egypt, amounting in all to 6,218 kiles. The sum realized by these shipments was 8,310*l.* of which was apportioned as tithe 6,497*l.* These were the first direct shipments undertaken by Government since the system of receiving tithe in kind was adopted, but, looking to the existing conditions of the grain markets, it appears probable that in future most of the tithe grain will have to be disposed of in this manner.

The so-called "superior" barley, that is the barley grown in the hill villages of Limassol, Papho, Kyrenia and Tillyria, was shipped as in former years to England, where it was disposed of at remunerative prices. This grain was bought by Messrs. Bass & Co. at prices ranging from 22s. to 29s. (net) the quarter of 448lbs. on the rails at Burton-on-Trent.

A small parcel of barley of ordinary quality was shipped at the same time to Hull, where it was sold at a fair price, 19s. the quarter of 448lbs.

The total sum realized by the sale of the tith-grain amounted to 45,628*l*. This was exclusive of the grain received on account of other services such as locust taxes, field watchmen's taxes, &c., the sales in respect of which yielded some 9,000*l*.

I am, &c.

WM. T. TAYLOR,
Receiver-General.

Nicosia, May 6, 1895.

Trade of the Year 1893.

The Import and Export trade of the year cannot be regarded as satisfactory.

The fall in prices which took place toward the middle and continued to the end of the year injuriously affected the export trade, and led to a contraction in the volume of Imports as will be seen from the following comparative summary of Imports and Exports:—

	Imports.		Exports.		Decrease.		Increase.	
	1893.	1892.	1893.	1892.	Imports.	Exports.	Imports.	Exports.
	£	£	£	£	£	£	£	£
I. Live animals, food and drink, and narcotics.	96,963	117,399	211,373	231,593	20,436	20,220	—	—
II. Raw materials	59,477	67,626	56,906	56,341	8,149	—	—	565
III. Manufactured articles	141,896	161,796	8,106	10,231	19,900	2,125	—	—
IV. Coin and bullion	18,536	23,153	40,158	40,794	4,617	636	—	—
	316,872	369,974	316,543	338,959	53,102	22,981	—	565

Nett Decrease.

Imports	-	-	-	-	-	-	£
Exports	-	-	-	-	-	-	53,102
	-	-	-	-	-	-	22,416
Total	-	-	-	-	-	-	<u>£75,518</u>

It will be seen that the values of imports and exports, inclusive of specie, for the year 1893 are nearly equal, but if the value of specie be excluded the imports exceed the exports in value by 21,951*l*. This difference is due to the comparatively small export of cereals during the latter half of the year, consequent on the reduced prices.

The total value of imports (exclusive of specie) of the year 1893 was less by 48,485*l*. than the value of the Imports of 1892; and the Exports of 1893 fell short of those of 1892 by 21,780*l*.

The several districts of the Island contributed to the trade of the year in the following proportion:—

	Imports.		Exports.	
	Merchandise.	Coin, &c.	Merchandise.	Coin, &c.
	£	£	£	£
Larnaca - - -	208,620	12,433	108,308	35,814
Limassol - - -	73,998	6,103	85,728	4,344
Famagusta - - -	4,976	—	42,731	—
Papho - - -	3,280	—	27,280	—
Kyrenia - - -	6,668	—	10,077	—
Nicosia - - -	774	—	2,261	—
Total -	298,336	18,536	276,385	40,158

And the direction of trade will appear from the subjoined table:—

	Imports.			Exports.		
	Merchandise.		Coin, &c.	Merchandise.		Coin, &c.
	Value in Sterling.	Per-centage.		Value in Sterling.	Per-centage.	
	£	£	£	£	£	£
United Kingdom -	94,765	31·8	—	62,035	22·7	1,300
British Colonies -	1,053	0·3	—	1,636	0·6	—
Turkey - -	78,424	26·4	5,128	47,556	17·2	9,923
Egypt - -	33,746	11·3	12,802	57,387	20·8	22,682
Austria - -	45,820	15·3	174	8,636	3·1	4,461
France - -	20,949	7·0	—	73,751	26·7	1,802
Greece - -	8,425	2·8	2	5,841	2·1	—
Italy - -	2,864	1·0	336	13,117	4·7	—
Russia - -	6,843	2·3	4	194	0·1	—
Roumania - -	1,230	0·4	—	3,347	1·2	—
Other Countries -	4,217	1·4	—	2,285	0·8	—
Total	298,336	100·0	18,536	276,385	100·0	40,158

As usual the Trade with the United Kingdom occupies the first place with 31·8 of Imports and 22·7 of the Exports; Turkey takes second place with 26·4 of Imports and 17·2 of exports; France comes next with 7·0 of Imports and 26·7 of Exports; while Egypt is fourth with 11·3 of the Imports and 20·8 of the Exports.

There is a marked decrease in the value of Imports from Turkey, no food-stuffs having been imported from there in 1893; the imports from the United Kingdom and from France also show a considerable decrease, chiefly in the value of manufactured goods; while from Russia, too, the Imports fell off to a large extent during the year.

Imports.

The following table shows the quantities and values of the principal articles imported in 1893 as compared with 1892 :—

	1893.		1892.		More.	Less.
	Quantity.	Value.	Quantity.	Value.		

I.—LIVE ANIMALS, ARTICLES OF FOOD AND DRINK, AND NARCOTICS.

Animals	-	340	£ 5,181	357	£ 4,859	£ 322	—
Vetches	- kiles	3,743	439	65,096	10,801	—	10,362
Flour	- cwt.	22,980	11,572	30,387	15,683	—	4,111
Butter	- "	2,008	6,762	2,101	6,589	173	—
Coffee	- "	1,897	8,363	2,249	8,712	—	349
Olive oil	- "	2,711	4,306	1,906	3,000	1,306	—
Rice	- "	13,268	6,550	14,424	8,023	—	1,472
Sugar	- "	13,378	13,199	12,744	11,886	1,363	—
Tobacco	- "	2,894	11,727	3,652	15,165	—	3,438
Beer	- { doz. } { gals. }	{ 3,160 } { 41,541 }	4,094	{ 3,417 } { 48,852 }	5,068	—	972
Spirits	- { doz. } { gals. }	{ 1,879 } { 27,497 }	4,329	{ 2,236 } { 20,399 }	3,900	429	—
Provisions, &c.	-	—	—	—	10,620	—	—

II.—RAW MATERIALS.

Cotton yarn	cwt.	4,304	15,294	5,834	19,704	—	4,410
Coal	- tons.	1,678	2,241	2,213	3,129	—	868
Iron and steel	cwt.	7,420	5,321	8,040	3,617	—	296
Leather	- "	2,233	12,552	2,340	12,714	—	162
Timber	-	—	16,595	—	19,106	—	2,511

III.—MANUFACTURED ARTICLES.

Cotton-piece goods	-	—	34,084	—	43,234	—	9,150
Haberdashery, &c.	-	—	4,557	—	3,580	977	—
Silk manufactures	-	—	3,349	—	4,641	—	1,292
Woollen do.	-	—	19,472	—	421	—	949
Iron do.	-	—	4,569	—	63	—	1,070

—	1893.		1892.		More.	Less.
	Quantity.	Value.	Quantity.	Value.		
Arms and ammunition.	—	£ 2,037	—	£ 2,419	—	£ 382
Casks - -	17,994	4,547	28,543	8,735	—	4,188
Drugs and medicines.	—	1,764	—	3,023	—	1,259
Earthen and glassware.	—	7,051	—	8,082	—	1,051
Indigo - cwt.	74	2,480	89	2,744	—	264
Petroleum - gals.	149,021	3,741	272,001	7,364	—	3,623
Soap - cwt.	6,165	7,689	6,709	9,395	—	1,706
Sacks - -	143,466	4,572	—	2,105	2,467	—

In Class I. there are important increases in the Imports of Olive-oil, sugar and spirits. The increased imports of Olive-oil were to supplement the deficient Island crop; the increase in sugar was due in part to an advance in value; and in spirits to speculation in connection with the new Customs Tariff.

All articles in Class II. (Raw Materials) show a decrease, the most important decrease being in the matter of Cotton-yarn, 99 per cent. of which is imported direct from the United Kingdom.

In Class III. (Manufactured Articles) the only items which show an increase are haberdashery and sacks, while there are decreases of large amount in Cotton-piece goods, in casks and in Petroleum.

Of the Cotton-manufactures, 71 per cent. came direct from England and 22 per cent. (mostly of British origin) came from Turkey.

Woollen goods come next in importance, 46 per cent. being brought from the United Kingdom, 16 per cent. from Turkey and 12 per cent. from Austria.

Of leather imported some 45 per cent. came from France, 25 per cent. from Egypt and 10 per cent. from the United Kingdom.

The Imports of Iron and Iron-manufactures from the United Kingdom represent 69 per cent. of the total value of these goods imported.

The Imports of Earthen and Glassware came in more or less varying proportions from the United Kingdom, Turkey, Austria, France and Greece.

Soap is imported almost wholly from Turkey.

In the food class, some 70 per cent. of the flour imported is brought from Turkey; butter is imported from Turkey and Egypt; Coffee from Austria and France; Rice *via* Egypt; 94 per cent. of the Sugar imported is from Austria; the leaf-tobacco comes from Thessaly; Beer from England and Austria; and Spirits from the United Kingdom and Austria.

Exports.

In the subjoined table are shown the increases and decreases in the chief articles of export:—

	1893.		1892.		More.	Less.
	Quantity.	Value.	Quantity.	Value.		

I.—LIVE ANIMALS, ARTICLES OF FOOD AND DRINK, AND NARCOTICS.

Animals -	3,150	£ 9,008	3,961	£ 11,117	£ —	£ 2,109
Carobs - tons.	23,677	79,127	29,613	98,955	—	19,828
Corn:—						
Wheat - kiles.	108,180	15,138	139,863	25,212	—	10,074
Barley - "	582,060	43,397	335,265	28,759	14,638	—
Oats - "	105,291	7,245	73,350	4,789	2,456	—
Vetches - "	26,826	3,075	1,232	134	3,541	—
Cheese - cwt.	3,663	6,111	2,751	3,936	—	2,175
Fruit —						
Oranges and lemons.	5,174,276	4,045	5,635,198	4,177	—	132
Raisins - cwt.	10,010	2,426	20,023	5,002	—	2,576
Other fruit "	32,147	3,257	24,602	4,106	—	1,849
Vegetables "	9,879	1,174	7,741	945	229	—
Tobacco - "	45	484	162	1,697	—	1,263
Spirits - gals.	98,364	6,454	124,917	7,310	—	856
Wine - "	990,863	31,452	1,608,593	32,800	—	1,344

II.—RAW MATERIALS.

Cotton - cwt.	3,508	£ 6,215	10,613	£ 16,605	£ —	£ 10,390
Silk cocoons "	852	16,197	761	10,206	5,991	—
Wool - "	3,906	7,206	3,636	6,491	715	—
Aniseed - "	2,911	2,973	426	365	2,508	—
Skins - "	1,671	10,359	1,590	9,841	518	—
Linseed "	5,089	2,166	5,493	2,369	—	203
Sesame - "	3,108	1,958	—	—	1,958	—
Sponge - "	84	2,988	83	2,921	67	—
Sumac - "	10,700	2,136	10,184	2,994	—	858
Terra Umbra - tons.	1,465	756	2,243	1,223	—	472

III.—MANUFACTURED ARTICLES.

Cordage - cwt.	400	481	459	569	—	89
Cotton Goods -	—	439	—	495	—	56
Earthenware -	—	573	—	693	—	120
Gypsum - tons.	1,818	1,226	1,859	1,440	—	223

The animals exported consisted chiefly of mules to Egypt and Turkey, donkeys to Turkey, and oxen, sheep, and swine to Egypt.

As usual the first place in value is occupied by Carobs or Locust-beans, although the exports fell behind those of 1892 by 5,936 tons in the matter of quantity and 19,828*l.* in value.

The following statement shows the direction of trade in this article of produce. It will be seen that, although the exports to England still stand at the head of the list, the trade with France is represented by a nearly equal amount :—

—		Quantity.	Value.
		Tons.	£
United Kingdom	-	9,635	33,032
France - - -	-	9,473	30,678
Egypt - - -	-	2,326	9,453
Italy - - -	-	1,630	5,597
Other Countries -	-	113	367
Total	-	23,677	79,127

Cereals show considerable improvement as compared with the exports of 1892 in respect of quantity, and had it not been for the fall in price in the latter half of the year the increase in value too would have been large. As it was, the value of the shipments in 1893 showed an improvement of 10,561*l.*, as compared with 1892.

In the subjoined table are shown the quantities and values of each description of cereals as exported to the several countries.

	Wheat.		Barley.		Oats.		Vetches.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
United Kingdom - - Kiles	—	£ —	237,017	£ 18,998	—	£ —	—	£ —
Egypt - - "	606	88	209,941	14,849	72	6	24	4
France - - "	48,191	6,392	15,838	1,193	101,996	7,024	3,882	537
Turkey - - "	25,202	3,385	98,749	6,504	30	2	242	33
Greece - - "	14,533	1,901	1,545	114	—	—	—	—
Italy - - "	19,406	3,341	1,192	81	—	—	8,585	1,146
Spain - - "	—	—	—	—	—	—	14,083	1,955
Other Countries - - "	242	36	22,774	1,658	3,193	213	—	—
Total	108,180	15,138	582,056	43,897	105,291	7,245	26,826	3,675

Cheese went as in former years to Turkey and Egypt, about three-fifths of the whole quantity going to Turkey.

Oranges and lemons continued to be shipped to Roumania and Turkey, the trade exhibiting but little change as compared with the preceding year.

Raisins exported were not more than about one-half of the shipments of 1892.

Other fruit showed an increase as regards quantity but a falling off in the matter of value.

The improvement in the export of spirits noticed in the year 1892 was not maintained, the quantity shipped having receded to about the figures of 1891. It went chiefly to Turkey.

The value of wine exported fell still further owing to over-production and the action of hostile tariffs.

The shipments to the various countries were :—

	Commanderia.		Other Sorts.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
United Kingdom -	Gals. 159	£ 20	Gals. 8,861	£ 599	Gals. 8,820	£ 619
Turkey - -	5,140	371	232,296	5,968	237,436	6,339
Egypt - -	6,553	301	683,628	16,655	690,181	16,956
Austria - -	9,219	483	132	4	9,351	487
France - -	484	78	76	3	560	81
Italy - -	41,736	1,770	113	6	41,849	1,776
Other Countries -	1,767	169	913	25	2,670	194
Total -	65,048	3,192	925,819	23,260	990,876	26,452

Very little cotton was exported during the year and such as was exported went in nearly equal quantities to Greece, France, and the United Kingdom.

Silk cocoons show an improvement in quantity and a marked improvement in value. About four-fifths of the total quantity exported went direct to the French markets, the remainder to Turkey.

The exports of wool continue to show a slight improvement in quantity and value.

The aniseed crop was a good one and almost the whole of it was exported, chiefly to France.

Of sesame there had been no shipments in 1892, but in 1893 the export was considerable and showed an improvement on the shipments of 1891.

The trade in skins showed a small advance in quantity and value; while the trade in linseed fell slightly behind that of the previous year.

The exports of terra umbra were comparatively small.

In the class of manufactured articles, not a class of much importance in Cyprus, all the articles show a decrease as compared with 1892.

Shipping.

The number and tonnage of vessels entered and cleared were as follows :—

	Sailing Ships.		Steamers.		Total.	
	No.	Tons.	No.	Tons.	Vessels.	Tonnage.
Entered - -	1,082	58,079	183	216,246	1,265	274,325
Cleared - -	1,085	58,761	183	216,246	1,248	275,007
Total - -	2,147	116,840	366	432,492	2,513	549,332

An increase under the head of sailing ships entered of 22 vessels, 885 tons, and of steamers entered 20 vessels, 17,832 tons, and under the head of ships cleared a decrease of three vessels, 3,139 tons for sailing vessels, but an increase of 20 steamers, 17,832 tons.

The following table shows the nationality of the shipping engaged in the trade of the Island :—

	Sailing Ships.		Steamers.		Total.	
	No.	Tons.	No.	Tons.	Vessels.	Tonnage.
British - -	—	—	154	100,328	154	100,328
Cypriote - -	441	16,640	—	—	441	16,640
Ottoman - -	1,471	54,210	2	28	1,473	54,238
Austrian - -	8	1,552	100	133,890	108	135,442
French - -	—	—	104	195,798	104	195,798
Greek - -	150	17,729	2	800	152	18,527
Italian - -	75	26,095	—	—	75	26,095
Danish - -	2	598	—	—	2	598
Swedish - -	—	—	4	1,648	4	1,648
Total - -	2,147	116,822	366	432,492	2,513	549,314

The British steamers trading with the Island continue to increase, the figures shown above being an increase as compared with the previous year of 38 vessels, 15,250 tons.

The number and tonnage of ships and boats engaged in the coasting trade were:—

	Sailing Ships.		Steamers.		Total.	
	No.	Tons.	No.	Tons.	No.	Tons.
Entered - - -	1,714	34,235	99	88,634	1,813	122,869
Cleared - - -	1,749	34,291	99	88,634	1,848	122,925
Total - - -	3,463	68,526	198	177,268	3,661	245,794

The usual fleet of sponge fishing boats from the Greek Islands of the Archipelago visited the coasts of Cyprus during the year.

The licences to fish for sponge issued were:—

1st Class, boats equipped with diving apparatus	-	8
3rd „ „ with scratching apparatus	-	5

Licensed Boats and Boatmen.

The number of boats licensed to ply for hire under the provisions of "The Boats Regulation Law, 1884" was 96, and the number of licensed boatmen 91.

Lighthouses.

The light service of the Island continued to be satisfactorily carried on during the year. The following are the lights now exhibited on the coasts of Cyprus.

At Point Papho	-	A fixed bright light of the 3rd order, visible 18 miles.
At Cape Gata	-	A bright light of the 4th order, flashing every 2 minutes, visible 15 miles.
At Cape Kiti	-	A fixed bright light, visible 8 miles.
At Larnaca	-	A fixed red light, visible 5 miles.
At Cape Greco	-	A bright light of the 4th order, flashing every half-minute, visible 13 miles.
At Famagusta	-	A fixed red light visible 6 miles.
At Kyrenia	-	A fixed red light, visible 6 miles.

Another light, a revolving light of the 4th order, on the Klides Islands at the north-eastern extremity of the Island would be of advantage to the trade, and would be much appreciated by masters of ships which have to pass that neighbourhood.

August 1894.

Wm. T. TAYLOR,
Chief Collector of Customs.

CYPRUS.

REPORT

ON THE

LOCUST CAMPAIGN OF 1894.

(*In continuation of [C. 7149.] September 1893.*)

A Map will be found at page 4.

Presented to both Houses of Parliament by Command of Her Majesty.
11 February 1895.



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1895.

R E P O R T

ON THE

LOCUST CAMPAIGN OF 1894.

No. 1.

SIR W. J. SENDALL to the MARQUESS OF RIPON.

Government Cottage, Troodos,
August 9, 1894.

MY LORD,

I HAVE the honour to transmit a copy of a report from the Director of Survey, covering another from the Inspector of Agricultural Industries on the destruction of locusts for the past year.

2. Your Lordship will see that two methods of destruction have been followed (1) by collection of eggs during the summer and winter, and (2) by purchasing live locusts in the spring.

3. The system of collecting locust eggs has been abandoned since 1882, but circumstances have somewhat changed since then, and, on the advice of persons well qualified to give an opinion, I authorised the return to the old system as an experiment. From the reports now submitted, it appears that considerable destruction was effected by this means, and when locusts are so scattered as they are at present it seems advisable to attack them at all stages of their existence, and not to rely only upon destroying them when they are hatched out.

4. The system of purchasing live locusts by weight is an entirely new one under the English occupation. Some small experiments were made in the Carpas in former years, but without much result, and there was but little to guide us in undertaking the experiment as a general measure.

5. There was, however, a general consensus of opinion that the modes of trapping and burning that have been followed for some years past, since the large swarms were destroyed, were unsatisfactory, and gave no adequate return for the money expended on them.

6. It is not possible at present to give a definite opinion upon the success or otherwise of the experiment, but the measure has been a popular one among the people, and many persons well qualified to judge consider that the destruction of locusts has been satisfactory.

7. The expenditure has been somewhat heavier than that of recent years, but I do not think that this need be considered a matter for regret, if the operations have tended not only to prevent the increase but to diminish the number of locusts.

8. The following table shows the expenditure in each year on locust destruction since the large swarms were destroyed.

	£		£
1885 - - -	- 3,387	1890 - - -	- 2,644
1886 - - -	- 3,341	1891 - - -	- 3,985
1887 - - -	- 3,104	1892 - - -	- 4,425
1888 - - -	- 2,855	1893 - - -	- 4,134
1889 - - -	- 2,445	1894 - - -	- 4,802

9. The sudden disappearance of locusts in Limassol district is a noteworthy feature in the record of the year's operations.

I have, &c.

WALTER J. SENDALL,
High Commissioner.

Enclosure in No. 1.

CHIEF SECRETARY,

Nicosia, July 21, 1894.

I HAVE the honour to forward a report from the Inspector of Agricultural Industries on the locust campaign for the past year.

In the year under report, a change has been tried in the method hitherto adopted of combating this pest, and, instead of hiring labour, the locusts have been purchased both in the egg and insect stage.

Experiments were made at Nicosia nearly every day to find out how many locusts, at different periods of their existence, weighed an oke, and from these experiments I have made an average for the week, and I attach a return showing the okes of locusts purchased weekly, the amount paid weekly, the weekly average of locusts contained in an oke, the total number purchased weekly, and the weekly number of locusts obtained for one piastre.

It will be seen that, notwithstanding the high price paid at the commencement of the campaign, the numbers of locusts obtained for one piastre, from the commencement to the 14th April, were more than three times as many as those obtained during the last fortnight of the campaign.

Objections have been raised to the purchase of locusts in the egg stage, but the following figures show that we obtained considerably more locusts for a piastre by this method.

6,334 okes 25 drams of egg cases were purchased last year at 16 piastres the oke, total cost 563*l.* 5*c.p.*; about 2,600 egg cases weigh one oke, and each egg case is calculated to contain 32 eggs: say only one half hatch out—we obtained then 2,600 locusts for one piastre.

As regards the success of the campaign, Mr. Idlibi, who was employed both last year and this to assist in the campaign, and who went round the locust area directly after the purchasing was stopped, is of the opinion that the numbers of locusts left after the campaign this year are as many as were left after the campaign of 1893, but his opinion is not shared by the Inspector of Agricultural Industries, and Mr. Pascal Constantinides and Hussein Atta Effendi, members of the Agricultural Board, both state that the information which they have received from the villages leads them to believe that the campaign was a success.

Last year the reporters on egg deposits made a return, showing how many drams of eggs could be collected by a labourer in a day; the reporters have not yet completed their work this year, but the greater part of Famagusta District is finished, and the report on these villages tends to show that the campaign was a success, for in every village reported on last year and inspected this, considerably fewer eggs are stated to be able to be collected in a day, and in several villages not one-tenth of the amount; the reports showing the area over which eggs have been laid, have not yet been furnished, and until those reports come in, it would be premature to say to what extent the campaign has been a success.

The services of Mr. Idlibi were kindly placed at our disposal by the Receiver-General, and the two paymasters were lent us by the Commissioner of Nicosia and the Chief Medical Officer.

ARTHUR YOUNG,

Director of Survey,

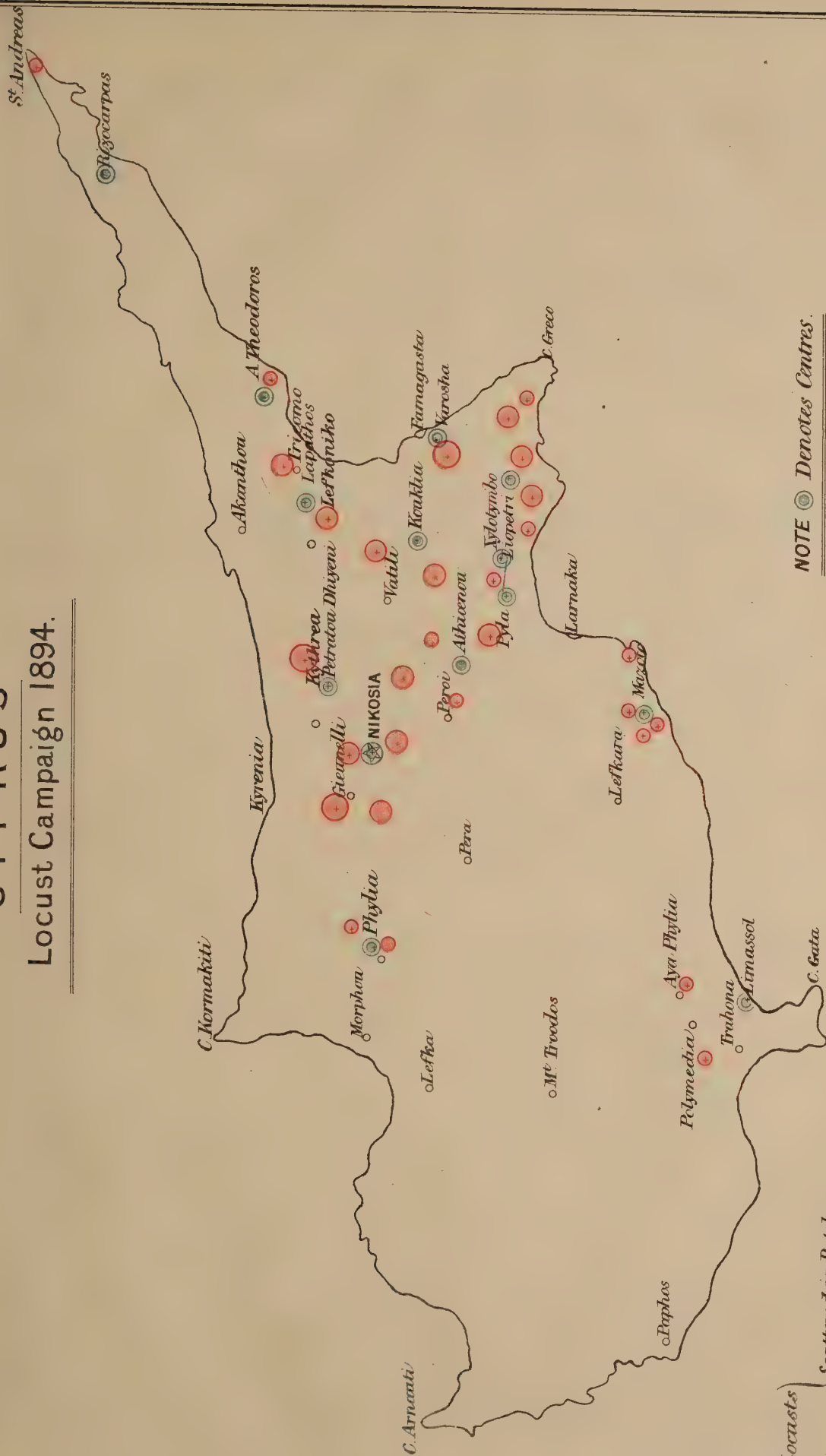
Agricultural Department.

LOCUST CAMPAIGN, 1894.

Week ending.	Weight purchased.		Amount paid, excluding expense of weighing and supervision.			Average number of Locusts per Oke.	Total number of Locusts purchased.	Number of Locusts obtained for One Piastre.
1894.	Okes.	Drams.	£	s.	c.p.			
March 31 - -	390	239½	375	17	0¾	96,911	37,853,436	559
April 7 - -	740	209	523	9	1½	95,123	70,440,959	747
" 14 - -	1,559	355	620	14	0¼	49,287	76,877,853	688
" 21 - -	1,172	239	327	1	7¾	24,643	28,898,318	491
" 28 - -	2,195	17	542	7	6½	13,877	30,460,605	312
May 5 - -	4,408	223	873	0	1	6,599	29,092,071	185
" 12 - -	2,740	355	332	17	7¾	4,605	12,621,924	211
Totals -	13,208	37½	3,595	7	7½	—	286,245,176	—

CYPRUS

Locust Campaign 1894.



Scattered in Patches.

After the campaign of 1893, locust eggs were purchased : 6,334 okes 25 drams of egg cases were purchased at a cost of 563*l.* 5*s.* 6*d.* : each egg case contains 32 eggs, and about 2,600 egg cases weigh one oke : on the supposition that only 16 eggs in each case hatch out, it represents that we collected in the egg state 264,597,000 locusts, and paid one piastre for every 2,600 locusts.

The Inspector of Agricultural Industries, in his report, puts the cost of purchase of locust eggs at 646*l.* 4*s.* 1*s.* 6*d.*, but in this he has shown about 80*l.* paid for reporters on egg deposits, and for purchase of cantars, sieves, etc., in stock.

The Inspector of Agricultural Industries, in his report, shows 3,598*l.* as paid to the villagers for purchase of locusts : his calculation is made from the numbers of okes collected and price paid. I show above 3,595*l.*, and the difference of 3*l.* is due to fractions, as my calculation was made in a different way, viz., the actual sum paid to the villagers ; in these sums fractions of 10 paras were excluded.

ARTHUR YOUNG,
Director of Survey.

DIRECTOR OF SURVEY, AGRICULTURAL DEPARTMENT,

Nicosia, July 16, 1894.

At the close of the locust campaign of 1893, reporters were sent out, as usual, to ascertain the approximate number of eggs that had been deposited. The return having been made up, it showed an increase in the number of eggs than there were the previous years. Attached is schedule showing the estimated egg deposits from 1883 to 1893.

On the 27th June, at a meeting of the Board of Agriculture, it was recommended by the Board that locust eggs should be purchased and paid for at the rate of 16 piastres per oke. This was sanctioned by Government, and the work commenced on 27th July and ended on the 10th December.

The result was that 4,721 okes were purchased in the Famagusta district, and 1,612 okes in the Nicosia district, giving a total of 6,333 okes, which cost, including weighers and supervision, the sum of 646*l.* 4*s.* 1*s.* 6*d.*

The Agricultural Board met again on the 4th January, and agreed that it was not advisable to employ labour in the forthcoming campaign, but that it would be advisable to purchase the live locusts, and it was recommended that a sum of 200 piastres per oke should be paid for them when first hatched out—that sum to be reduced at subsequent dates, and the price kept down so that every man working should receive a fair day's wage.

These recommendations having been approved by Government, arrangements were made for commencing work on the 7th March. The centres fixed for receiving locusts were, Phyllia, Nicosia, Petra, Dhiyeni and Athriænon in the Nicosia district ; Pyla and Mazoto in the Larnaca district ; and Leopetri, Konklia, and Lapathos in the Famagusta district.

Four Nazirs were appointed, and each had under his supervision two centres. A memour was sent to each centre to weigh the locusts, and issue cheques for the amount purchased. At Mazoto the work was not expected to be heavy, and as it lay wide of the other infected areas, it was not under the supervision of a Nazir, but was watched by Mr. Mitzi, whose services were kindly lent by the Commissioner of Larnaca.

To Limassol, whence a large number of locusts were expected, a Nazir was sent. He was subsequently removed, as the locusts proved to be very few. I attribute this to the fact that the lands in which the eggs had been deposited had all been brought under cultivation, thus destroying them.

Centres were subsequently opened at Rizo Carpass and Ayia Thevilorio, and were placed under the supervision of the Mudir of Carpass, Mr. Dingli.

The first purchases were made on the 21st March at Leopetri, when 3 okes were brought in ; on the 26th, 123 okes were purchased. The price then reduced to 150 piastres per oke. From this date the people entered into the work, and a rush was made to collect. At Leopetri centre, which included the worst infected area, viz. :—Famagusta, Paralimni, Ayia Napa, Leopetri and Zylophage, the work became so heavy that a new centre had to be opened on the 8th April at Kato Varoshia, and the Pyla centre was moved to Zylotymbo.

Such large numbers of people were out collecting that the memours could not keep up with the work of weighing and issuing cheques, consequently assistant memours had to be appointed ; even with this extra assistance, the weighers, in badly infected areas,

often had to work up to 10 o'clock at night. The greatest weight of locusts purchased in one day was 297½ okes, on the 4th May, at Petra Dhiyeni. Kato Varoshia centre weighed out 270½ okes on the 2nd May.

The execution done, and the locusts purchased, amounted to 13,208 okes at a cost of 3,598*l.* 8*s.* 5*c.p.*; supervision, formation of centres, transport, messengers, paymasters, and travelling allowances raised this sum to 4,046*l.* 7*s.*, this, with the sum of 646*l.* 4*s.* 1*c.p.* paid for eggs during the winter months, with 107*l.* 13*s.* 5*c.p.* paid for wages of store-keeper, stores, and 2*l.* 10*s.* unpaid wages for the 1893 campaign, raises the total sum spent for the year ending 30th June, 1894, to 4,802*l.* 14*s.* 6*c.p.*

I am of opinion that the work done has been most satisfactory, and I estimate that more than treble the number of locusts were destroyed this year than in any of the previous four years.

The worst infected areas were round the centres at Nicosia, Petra Dhiyeni, Leopetri and Kato Varoshia; this upheld the reports of the egg reporters as to the localities where locusts might be expected, but the estimate of locust eggs deposited was, I think, far in advance of the real numbers.

The following tables show the work done at each centre, and the weight of locusts taken at the different prices.

No.	Centre.	Weight.		Amount.		
		Okes.	Drams.	£	s.	c.p.
1	Phyllia - - - -	502	395	137	8	0½
2	Nicosia - - - -	1,515	204	293	10	2¾
3	Petra Dhiyeni - - -	2,565	328	523	18	7¼
4	Athrinon - - - -	764	150	216	11	4½
5	Pyla after Zylotyμπο -	612	295	167	9	1½
6	Leopetri - - - -	2,690	389	1,078	17	1¾
7	Mazoto - - - -	463	212	202	7	2½
8	Konklia - - - -	791	140	225	19	5¼
9	Lapathos - - - -	880	14	218	16	4¼
10	Rizo Carpass - - -	185	333	61	11	6½
10A	Ayias Theodoros - -	239	26	36	11	1¼
11	Limassol - - - -	14	138	8	5	3¾
12	Kato Varoshia - - -	1,981	213	427	1	8¼
		13,208	37	3,598	8	5

Value per Oke.		Weight.		Amount.		
		Okes.	Drams.	£	s.	c.p.
At 200 piastres	- - - -	200	271	222	19	4½
" 150 "	- - - -	521	094	434	17	3
" 120 "	- - - -	506	095	337	9	7½
" 100 "	- - - -	161	117	89	12	1½
" 70 "	- - - -	1,437	297	559	2	4
" 60 "	- - - -	399	397	133	6	5¾
" 50 "	- - - -	672	238	186	16	5¾
" 45 "	- - - -	5	209	1	7	5½
" 40 "	- - - -	4,763	051	1,058	9	4
" 30 "	- - - -	1,817	014	302	16	6¾
" 20 "	- - - -	2,173	277	241	10	3¾
" 10 "	- - - -	548	327	30	9	7
				3,598	8	5

The methods employed by the villagers in taking the locusts were as follows :—

When the locusts were small, *i.e.*, during March and part of April, sheets with a hole in the centre, to which a bag was attached, were laid on the ground, the young locusts were driven on to these sheets, the sheets were then caught up by the four corners, and the locusts shaken into the bag; the process was then repeated. The remainder of April and May, the villagers made light muslin bags, and fastened them on to bent sticks, after the fashion of a butterfly net, and scooped up the locusts, transferring them into limed bags whenever they had them in sufficient numbers.

In March an experiment was made with chickens to see what destruction they would cause to the locusts when quite young. In the early morning, before being fed, the

chickens were taken out to a place called Deo Iroullia, near Paralimni, where locusts were plentiful; on being turned out they refused to look at the locusts, and walked about taking other kinds of food. The locusts were very small, and did not seem to attract their notice, although subsequently, when the locusts grew large, the chickens devoured them greedily, but then, from their size, the chickens cannot eat any very large number in the course of the day.

A. K. BOVILL,
Inspector of Agricultural Industries.

RETURN showing the estimated number and distribution of Locust Eggs in Cyprus from 1883 to 1893 in Districts of Nicosia, Famagusta, Larnaca, and Limassol.

	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
Number of villages having lands in which eggs were deposited -	133	69	53	60	51	43	54	77	91	107	104
Area of egg deposits in donums -	46,156	25,512	23,662	25,596	14,459	7,891	9,051	20,064	23,746	31,708	34,614
Estimated number of egg cases in millions -	5,076	222½	249	128	38	18	55	213	243	332	578

No. 2.

SIR W. J. SENDALL to the MARQUESS OF RIPON.

Government House, Troodos,
October 20, 1894.

MY LORD,

WITH reference to my despatch of the 9th of August last,* forwarding copies of reports from the Director of Survey and the Inspector of Agricultural Industries on the destruction of the locusts for the past year, I have the honour to attach for your Lordship's information a return showing the number of egg-cases estimated to have been deposited after the last campaign as compared with previous years.

2. The figures show a very satisfactory result, and one that encourages the renewal of the method adopted generally for the first time at the late campaign.

3. The Agricultural Board also, at a meeting held on the 28th ultimo, have recorded their opinion that the plan of collecting locusts both in the egg and live stages is the best one to combat this destructive pest.

4. In my despatch of the 9th of August 1894, I pointed out to your Lordship that the locusts are very scattered, and that the system for trapping and burning has not proved satisfactory.

5. Taking the above into consideration, and also the encouraging fact that the estimated number of locusts left in 1894 is about 70 per cent. less than that left after the 1893 campaign, I will give directions that the purchase of locusts shall be continued for another year.

6. I ask that your Lordship will be pleased to direct that, if the reports transmitted by my despatch of 9th August* are to be printed, the table now forwarded may be also printed and attached to them.

I have, &c.

WALTER J. SENDALL,
High Commissioner.

Enclosure in No. 2.

RETURN showing the estimated number and distribution of Locust Eggs in Cyprus from 1883 to 1894.

Districts of Nicosia, Famagusta, Larnaca, and Limassol.

	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.
Number of villages having lands in which eggs were deposited - -	133	69	53	60	51	43	54	77	91	107	104	109
Area of egg deposits in donums - -	46,156	25,512	33,662	25,596	16,459	7,891	9,051	20,064	13,746	31,708	34,614	19,695
Estimated number of egg-cases in millions - -	5,076	2223 ⁴	249	128	38	18	55	213	243	332	578	171

R E P O R T

ON THE

EMIGRANTS' INFORMATION
OFFICE,

For the Year ended 31st December 1894.

(For Report for 1893, see [C. 7269.] February 1894.)

Presented to both Houses of Parliament by Command of Her Majesty.
11th February 1895.



LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN

1895.

Report on the Emigrants' Information Office for the Year ended the 31st of December 1894.

The following are the names of the Managing Committee :—

The Secretary of State for the Colonies (President).

The Hon. T. Brassey.	Howard Hodgkin.	*C. P. Lucas.
John Burnett.	Sir W. Houldsworth, Bart., M.P.	John Martineau.
*J. J. Dent.	*H. C. M. Lambert.	J. Rankin, M.P.
*Hugh E. Egerton.	*H. L. W. Lawson, M.P.	Arnold White.
B. T. Hall.	N. Lubbock.	

Managing Committee.

The three vacancies mentioned in the last report are now filled by Messrs. Brassey, Hall, and Lubbock ; and Mr. Lambert, of the Colonial Office, has taken the place of Mr. Harris. The Committee, however, have to record, with much regret, the resignation of their colleague, Mr. Tansley, in consequence of ill-health, and other calls upon his time and strength. During the whole period of eight years which has elapsed since the Office was first opened Mr. Tansley has voluntarily given active, continuous, and most valuable help to the work of the Office ; and whatever success has attended the establishment of branches outside London, has been entirely due to his initiative and control.

The following was the expenditure of the year as against the annual vote of 1,000*l.* which, over and above the cost of printing, stationery, and postage, represents the support given to the Office by Parliament.

Expenditure

	£	s.	d.
Rent	-	-	150 0 0
Up-keep and miscellaneous	-	-	4 18 6½
Salary of chief clerk	-	-	270 0 0
„ editor of publications	-	-	270 0 0
„ boy writers	-	-	119 19 9
Branches	-	-	170 8 2
			985 6 5½
Balance	-	-	14 13 6½
	£1,000	0	0

The receipts of the Office and its branches during the year from sales of publications, exclusive of those sold through the Stationery Office and its agents, amounted to 72*l.* 8*s.* 11*d.*, against 74*l.* 11*s.* 7*d.* in 1893.

Receipts.

At the Office, exclusive of its branches, 7,671 letters were received in 1894, against 8,232 in 1893, and 7,692 in 1892. This is the smallest number of letters yet received in any one year. Of these letters, 6,682 were applications by or on behalf of intending emigrants, against 7,629 in 1893, and 6,602 in 1892. The total number of letters and papers despatched from the Office was 34,529 in 1894, against 35,217 in 1893.

Statistics of letters and inquiries.

The personal applications in 1894 numbered 2,585 against 3,287 in 1893, showing a decrease of 702. It is not easy, and often not advisable, to closely cross-question applicants for information, but, as far as could be ascertained, in 1894, as in 1893, less than 4 per cent. of the enquirers belonged to trade or benefit societies. On the other hand, the number of intending emigrants who stated that they could pay no part whatever of their passage money was very small. Of those who gave their trades or professions, 22 per cent. were classed as general labourers, rather over 19 per cent. as skilled mechanics, including, in the order given, engineers, carpenters and joiners, printers, plumbers and gasfitters, painters, fitters, &c., rather under 19 per cent. as clerks and shopmen, and 8 per cent. as female domestic servants. A large number came under the heading of “miscellaneous,” and it will be readily understood that a classification made over the counter can only be taken to be roughly accurate.

Many more enquiries were directed towards Canada and South Africa than to the Australasian Colonies. Of the last named Colonies, New Zealand and Western

* The names against which an asterisk is placed are those of the members of the Sub-Committee.

Australia attracted far the most attention. Most of the letters came from London and the Home Counties, the north of England, and the Midlands—in other words from the towns and the mining or manufacturing districts rather than from the more purely agricultural counties.

publications. The work of the Office has been carried on during the year on the same lines as before. The publications relating to the large Colonies, with which alone the Office was originally concerned, being in the hands of the salaried editor, Mr. Walter Paton, and any work beyond that scope being undertaken by voluntary effort.

Mr. Egerton has compiled a small pamphlet on Maryland (United States of America), has revised and re-edited the United States circular and the Handbook on the Argentine Republic, and has issued a summary of the consular reports relating to American countries which were received in 1894. A short pamphlet on Ceylon has been published, the material having been kindly supplied in the main by the Governor of the Colony; the pamphlet relating to the South African Republic is now under revision; and the pamphlet relating to the West Indies, which was republished at the beginning of the year, is again being revised, and will, it is hoped, be considerably enlarged.

branches. The number of circulars distributed and of books sold at the branches of the office, during the three years preceding the 30th of September last, was (in round numbers) as follows :—

	Circulars distributed.	Books sold.
Year ended 30th Sept., 1892 -	2,500	600
" " " 1893 -	4,500	800
" " " 1894 -	6,270	1,070

These figures show that the experiment of establishing small branches of the office outside London, some account of which was given in last year's report, has had a considerable measure of success; but the progress is not likely to be maintained without additional funds, and without such care and supervision as Mr. Tansley devoted to this object. No money was available for opening any new branch for personal enquiries during the past year, but notice boards and circulars for distribution have been sent to the free library at Kidderminster, and, in London, to certain sections of the Imperial Institute. As stated last year, the most successful enquiry branches have been in the large towns, such as Glasgow, Liverpool, Bradford, Newcastle, Leeds, Cardiff, and Swansea.

ates of
assage. A comparison of the lowest rates of passage to the Colonies on the 1st of January 1894 and the 1st of January 1895 shows that a considerable reduction took place between these two dates. On the 1st of January 1895 the lowest fares by British steamer to Canada were 2*l.* as against 5*l.* 5*s.* on the 1st of January 1894; to Sydney, Melbourne, or Adelaide 9*l.* 9*s.* as against 13*l.* 13*s.*; to Queensland and Western Australia 10*l.* 10*s.* against 14*l.* 14*s.*; to Tasmania 10*l.* 10*s.* against 13*l.* 13*s.*; to New Zealand 10*l.* 10*s.* against 16*l.* 16*s.* Only in the case of South Africa was there no reduction. Indeed the lowest fare to the Cape at the beginning of 1895 was slightly higher than it had been a year previously. It should be added that at the time of writing the fares to the Australasian Colonies are again being raised.

migration
statistics. Reduction in passage rates did not increase the volume of emigration. On the contrary, it is noteworthy that where the reduction was largest, viz., in the case of Canada, the diminution in the number of emigrants from British ports was also most marked. It may have been, however, that this diminution was to some extent counterbalanced by an increase in the number of emigrants who left from continental ports on board the ships of the North German, the Hansa, and other lines.

The Board of Trade returns show that the number of passengers who left the ports of the United Kingdom for places out of Europe was far smaller in 1894 than in 1893, in round numbers 227,000 against 308,000, the decrease being rather larger in proportion in the case of foreign, than in that of British, emigrants. To the Australasian Colonies the number of emigrants was nearly as large in 1894 as in 1893. To South Africa it was rather larger, but in the case of British North America there was a reduction of over 50 per cent.

Year by year any assistance to emigration on the part of the Colonial Governments tends to disappear. No free passages are now given by any colony. Queensland grants passages to female domestic servants, farm labourers, ploughmen and gardeners, whose friends in the Colony have nominated them and paid certain sums to the Government on their behalf. The same Colony till the last few weeks gave land order warrants of the value of 20*l.* to persons paying their full passages by the direct route, but this concession has now been withdrawn.

Assistance
Emigration

Western Australia gives assisted passages to small capitalists connected with the land, and nominated passages to a limited number of single women, or widows without children, who have friends in the Colony. The introduction into New Zealand of persons with fixed incomes, or small capital, is encouraged by the offer in such cases of reduced rates of passage. By the Cape assisted passages are now withdrawn from mechanics and artisans, and restricted to female domestic servants contracted to employers in the Colony. By Natal they are offered to the relatives of resident colonists, and to approved agriculturists with some capital.

On the 1st of March last, the bonuses which had previously been granted by the Canadian Government to settlers in the Western Provinces of the Dominion were discontinued; and at the time of writing, Canada, New South Wales, Victoria, South Australia, and Tasmania, offer no assistance in any form to any class of emigrant.

The demand for labour in the Colonies has changed but little for better or for worse during the past year. The condition of the labour market in Canada can be gathered from the Appendix to this Report, an interesting memorandum drawn up for the managing committee by one of their members, Mr. Lawson, M.P., who last autumn paid a visit to the Dominion.

Demand for
labour.
Canada.

Artisans are not wanted in Canada over and above those already on the spot; inexperienced farm hands are not so sure of immediate employment as once they were, and even the standing demand for female servants in the country districts was, at least in Ontario, better met in the past year than it had been previously, owing to the fact that the commercial depression in the towns induced many young women to migrate into the country.

Mr. Lawson refers to the notorious farm-pupil system. There are agencies in this country still offering terms for cadets or pupils, and there are people apparently still foolish enough to accept their offers and pay the fees. Once more it must be pointed out that the system is unnecessary, and most objectionable as opening the door to grave abuses. It is not approved by the Dominion Government, and the Committee wish to take every opportunity of warning the public against it.

Of the Australasian Colonies, Western Australia and New Zealand alone have thriven during the past year, though gold mining in Victoria was prosperous, and a new impetus was given to the sugar industry in Queensland by the renewed importation of Kanaka labour.

Australasia

Into Western Australia there has been a large influx of immigrants, owing to the gold discoveries at Coolgardie, and more public works were undertaken in this Colony during 1894 than in any previous year. The new Homestead Act, reference to which was made in last year's report, was brought into operation, but the applications for land under its provisions were less numerous than had been anticipated.

In New Zealand the supply of unskilled labour has often been excessive during the year, but on the whole the Colony has prospered. The system which has been tried by the New Zealand Government of opening up the Crown Lands and letting them to working men in lots of from 50 to 100 acres, the Government paying, in the first instance, for the clearing of the bush and adding the cost to the price of the land, has been a marked success.

Less successful, as a rule, have been the experiments in labour colonies and settlements for the unemployed which have been tried in various parts of Australia.

In some of the Colonies there have been strikes and disputes between the shearers and their employers, but owing to the surplus of labour in Queensland and elsewhere, the pastoral industry has not suffered from this cause as much as might otherwise have been the case. It may be noted, as a sign of bad times, that in nearly all these Colonies the numbers and salaries of the Civil Servants have been reduced.

The labour market at the Cape has been over-stocked, and no workmen should go there in the hope of plying their usual trades, unless they have secured employment

South Africa

beforehand. Especially it has been necessary to warn clerks and railway employes against emigrating to this Colony.

A labour commission reported during the year recommending the formation of a labour bureau, but stating that there does not appear to be in the Colony any great desire or demand for the introduction of European labour, with the exception of female domestic servants. The annual education report of the Colony, it may be added, calls attention to the dearth of experienced teachers. From Natal has been reported occasionally a demand for a small number of bricklayers, but otherwise the supply of labour on the spot has been sufficient, in view of the fact that most of the ordinary trades in Natal are largely served by Indian or native workmen.

Beyond the borders of the Cape and Natal, the process of opening up South Africa goes on apace. The railway from the Cape Colony now traverses the whole length of British Bechuanaland, being open for traffic as far as Mafeking, some 870 miles from Capetown, and it is proposed to extend it still further to the north for 200 miles through the British Protectorate. From Cape Town or from Port Elizabeth, Pretoria, the capital of the South African Republic, can be reached by rail, the journey in the former case being over 1,000 miles, in the latter about 740. From Pretoria a line is now open to Delagoa Bay, a distance of some 350 miles, while in the South-East of the Republic an extension of the line which runs through the whole length of Natal, for 300 miles from the sea to Charlestown, is being actively carried out so as to connect Johannesburg and Pretoria with the seaport of Durban.

The railway on the Beira route to Mashonaland, which starts from Fontesville, on the Pungwe river, about 40 miles above Beira, was opened for 75 miles by the 1st of October 1893, traversing most of the dreaded fly belt. It has now been carried on for over 40 miles further to Chimoio, making 118 miles of rail in all. Chimoio is beyond the range of the tsetse fly, and from it is a waggon road for nearly 80 miles to Umtali, the first station of importance within the sphere of the British South Africa Company. The railway is, it is understood, to be carried further in this direction, and at the other end it is in contemplation to construct a line between Fontesville and the port of Beira. Mashonaland and Matabeleland are thus year by year becoming more easy of access, means of communication are being improved and multiplied, and under the present settled administration it is only reasonable to expect development and progress. Still it is not the case, as once it was, or was reputed to be, that British emigrants with no money in their pockets can start in new countries with the immediate certainty of a livelihood, and the probability of a fortune in the future. The Colonies which once entertained penniless men now reject them, and wherever new fields of emigration are opened, whether in Central Africa or elsewhere, the demand is for settlers possessing at any rate some small means.

So far as emigration to foreign countries is concerned, the past year has been singularly uneventful. Continued depression in the United States, combined with increased stringency in the regulations relating to alien immigration, has tended to check the flow which would naturally take place in that direction during bad times in Great Britain, and the number of emigrants from British ports to the United States in 1894 was lower than the number in 1893 by 25 per cent. Yet it may be noted that the Philadelphia correspondent of the "Times," in a letter published on the 2nd of January, states that the amount of savings by the working class in the United States has been larger during the past year than in times when wages were higher.

The Argentine Republic, although slowly showing signs of recovery, remains still practically closed to British emigrants, while the frequent warnings which have been issued against Brazil as a field for British emigration appear happily to have been successful in preventing our countrymen from going to that part of the world.

The Government at Montevideo has just issued a decree restricting useless immigration into the ports of the Uruguayan Republic; and among the prohibited immigrants are included not only mendicants and the aged or diseased but also all Africans and Asiatics.

Such openings as have been taken advantage of by settlers outside the leading British Colonies have been mainly in South Africa, resulting from the large and continued increase in the output of gold from the South African Republic, and in the development of the territories of the British South Africa Company in Mashonaland and Matabeleland.

From the point of view of the student of schemes of colonisation, the most important events have been the respective careers of the Jewish Colonies in the Argentine Republic and of the New Australia settlement in Paraguay. The very different results of these two undertakings are noteworthy and significant. In the former case, all that could be done by the combined employment of capital and ability was ready at hand;

the unsuitable were carefully weeded out; skilled overseers were provided to watch over the colonists, who themselves belonged to a patient and docile race; and the out-come has been, that, so far as at present appears, the Colonies have been eminently successful, and it has been shown that, under certain very exceptional circumstances, persons hitherto unaccustomed to agricultural pursuits may become prosperous agriculturists. In the case of New Australia the conditions were widely different. A body of Australian working men, having, it would seem, little in common beyond a vague feeling of discontent with existing social arrangements, found themselves under what was (whether by their own previously given assent or not) for the time being a virtual despotism. Inevitably the Colony became the scene of grumbling, discontent, and open dispute, and the withdrawal of many of the settlers, the deposition of the leader, and the apparent failure of the whole scheme on its original lines, seem to point the moral that, for the success of socialistic communities, more is required than a mere dislike of some of the results which flow from the present industrial system. In this connexion the proposed "Freeland Colony," in East Africa, may be mentioned, though for the present the enterprise appears to be in a state of suspended animation.

Among consular reports not relating to American countries, and therefore not included in the annual summary, special attention may well be called to valuable reports on the Portuguese Province of Mozambique, including Beira and Delagoa Bay, and to Mr. H. H. Johnston's most exhaustive and interesting account of Nyassaland, officially entitled "A Report of the first three years' Administration of the Eastern Portion of British Central Africa."

Consular
Reports.

31 January, 1895.

C. P. LUCAS,
Chairman of Committee.

APPENDIX.

Memorandum by Mr. H. L. W. Lawson, M.P., on Emigration to Canada.

In the Statistical Year Book for Canada, 1893, paragraph 86, it is stated that "the various Immigration Agents report that the demand for farm servants and female helps continues to increase and the present supply is inadequate to meet it. Government Agents all over the Dominion report, more or less, to the same effect. Farm labourers, female domestics, and farm servants may emigrate with confidence that they will find situations on arrival. Mechanics are not wanted, the local supply being in excess of the demand." The number of homestead entries made during the year was 3,890, representing 11,807 souls, and 650,720 acres of land. The entries were made by 1,850 Canadians, 818 from the United States, 238 of whom were returned Canadians, 424 from the United Kingdom, 151 French, 59 Germans, 78 Austro-Hungarians, 192 Russians, other than Memnonites, 54 Swedes, and 51 Icelanders. These are the facts and figures for 1893 published in June 1894 by the Dominion Department of Agriculture, and they give so correct a view of the conditions to-day that there is little to be added. In what was called the "financial cyclone" of 1892, the trade of the United States received a terrible shock from which it will take some time to recover. "In the Dominion of Canada," says Mr. Wells in the "Forum," "separated territorially from us by an imaginary line, there has been no panic, no unusual demand for money, no stoppage of industries, no restriction of trade, no increased rate of interest." Though the soundness of the banking system and commercial organisation of Canada were conclusively demonstrated during the American crisis, it is too much to say that she has not to some extent shared in the depression which was partly its cause and has been partly its consequence. It is true that the figures of the total trade of Canada for 1893 still show an increase both of imports and exports, but that there is now a general slackness in the industries of the cities would be universally admitted. Besides, the low price of wheat has confounded the farming interest. In 1892 the average price of wheat in England was 91 cents

per bushel, and 63.2 cents in the States, in 1893 the average reached the lowest point during this century, viz., 78 cents in England, and 54.9 in the States. In 1894, during the first quarter, the English average price was $73\frac{7}{8}$ cents and in the States proportionately lower, and it has since had a further fall of more than 10 per cent. For the present, therefore, it seems likely that there will be no considerable increase in the demand for farm hands, whilst in the cities there is no employment for clerical and artisan immigrants. At Toronto, in the books of the St. George's Society, which has done so much to aid English settlers and workmen, I saw a large and increasing number of names of emigrants unable to find work, although the secretary told me that after a time he was usually able to place them in suitable situations. The farmers will not look at city hands, and even when they take them on for the harvest they turn them adrift again in the winter. At one time this dislocation did not bear so hardly upon workmen, as they could obtain employment for the winter in the lumber trade, but this has now disappeared in some parts of the country or in others has been organized on regular lines. For agricultural labourers there is always some demand, but the general cry is for men with a knowledge of Canadian farming and a little capital. "Send us," say the Canadian statesmen, "settlers with \$300 at least, let them learn their business before investing their money, and they are sure to do well." The "pupil system," against which the Emigrants' Information Office continually warns the public, is denounced as at worst a fraud, and at best a useless expenditure. A young man who wishes to apprentice himself to the trade of an agriculturist for a short time can always get his keep in return for his labour, and the farmers of the North-west are glad to give it him, so there is no necessity for further payment. When parents send their sons out as settlers, and intend to start them in their new life with a certain sum of money, it is most unwise to pay it over at once; the better plan is to place it to their credit in a good bank and let them have it gradually according to their industry. In too many cases the young Englishman in the North-west is the laughing-stock of the country side. He spends his time in the town nearest his farm and his money in the saloon, and to such as these the Canadians have given the name of "remittance men." To succeed in farming requires untiring energy and laborious resolution. The emigrant must be ready to turn his hand to many things. A complaint frequently made against English labour is that it lacks flexibility and cannot adapt itself to various trades or to the same trade under different conditions. In the colonies it is necessary to forget the lessons of the specialist and to know a little of many callings. For women willing to act as domestic servants there is always a demand, and the wages and conditions of employment are tempting as compared with those at home. "What the settlers want," I was told, "are good wives," and this complaint is general throughout the Western Provinces. The natural inclination of emigrants has been to make for the new lands of Manitoba, the North-west Territory, and British Columbia, but I am by no means sure that the settler with a small amount of money to his credit has not a better chance in Ontario than farther west. In that province there is a large amount of good land with substantial buildings to be had cheap, in consequence of the mortgages which have brought it into the market. Mixed farming is the rule, and the condition of agriculture has suffered less from low prices than on the prairie. Those who have no fixed plans should take a look round the smiling country of Ontario before they go further afield, and the intending settler will find that the amenities of life are greater in the comparatively old province, with an abundance of neighbours and amusements, than in the far west. Of all the different schemes of colonisation that have been carried out, none of those formulated in England can be said to have prospered. The failure of the crofter colonies, due to the crofters themselves even more than to official blundering, is generally acknowledged, and the East London settlement was a notorious case in point. It is very doubtful whether it is ever wise to plant home-bred people in isolated communities, where they can nurse their grievances and look backward for charity, rather than to throw them upon their own resources and character side by side and in competition with colonial and other settlers. Canadian experience seems decisively to condemn this kind of philanthropic plan. On the other hand, the unaided settlements of Icelanders and Memnonites have been conspicuously and increasingly successful, for in Manitoba you see the proofs of what industry and uprightness have been able to accomplish for both these communities. In carrying out schemes of emigration, as distinct from colonisation, Dr. Barnardo and others who have pursued his policy seem to be on the right lines. They take the boys and girls whom they find no room for in the crowded centres of England and send them to a home farm in Canada, where they are carefully tended and trained. Then, with some knowledge of

what will be asked of them, they are admitted into the households of settlers, become tillers of the soil, and have themselves a good chance of growing into independent and well-to-do citizens, able to take up a "free grant" later on. In the number that have gone out there have been a few black sheep, but colonial opinion is now converted to the view that these are exceptional and not typical, and it is generally believed that the system will be of as much benefit to the Dominion, and particularly to Manitoba, as to the mother country. I was glad to find that satisfaction was expressed with the work done by the Emigrants' Information Office, and that the handbooks, circulars, and notices are thought to be accurate and sufficient. Canada wants the resources and possibilities of her provinces to be known, and feels that with knowledge must come development.

H. L. W. LAWSON.

F I J I.

FURTHER CORRESPONDENCE

RESPECTING THE

A F F A I R S O F F I J I

AND THE

N A T I V E P O P U L A T I O N .

(*In continuation of [C. 5039, April 1887].*)

Presented to both Houses of Parliament by Command of Her Majesty.
19 March 1895.



L O N D O N :

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1895.

[C.—7679.] Price 10½d.

THE

REPORT

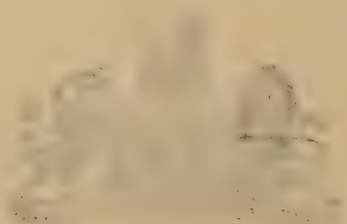
OF THE

COMMISSION

ON THE

INDIAN

IN THE



1891

TABLE OF CONTENTS.

Serial No.	From or to whom.	Date.	Subject.	Page.
		1894.		
1	Mr. W. Fillingham Parr.	July 18	Calls attention to the condition of the natives of Fiji, and accuses the Governor of oppression, maladministration, tampering with private letters, &c.	1
2	To Sir John B. Thurston.	July 26	Forwards copy of Mr. W. F. Parr's letter of July 18 for his observations.	2
3	To Mr. W. Fillingham Parr.	July 26	Informs him that his letter of July 18 has been referred to Sir J. Thurston for his observations.	2
4	Mr. W. Fillingham Parr.	July 26	Reports that he has received from the Colony confirmation of his statements, and that he sees no reason why a Royal Commission should not issue to inquire into the working of the Native Taxation Scheme.	2
5	Ditto - -	July 27	Urges the appointment of an independent commission to inquire into the working of the Native Taxation Scheme.	3
6	To Mr. W. Fillingham Parr.	Aug. 8	Acknowledges the receipt of his letters of July 26 and 27, 1894.	3
7	To Sir John B. Thurston.	Aug. 8	Transmits copies of Mr. W. F. Parr's letters of July 26 and 27, 1894, and of a question asked in the House of Commons and the reply returned thereto.	3
8	Sir John B. Thurston.	June 25 (Rec. Aug. 15.)	Reports the occurrence of a serious native disturbance in Vanua Levu, and the measures taken for its suppression.	4
9	Ditto - -	July 2 (Rec. Aug. 15.)	Reports the arrest of the ringleaders concerned in the recent disturbances, who will be tried in due course.	11
10	Ditto - -	July 16 (Rec. Aug. 29.)	Reports that the persons concerned in the recent native rising are in Suva Gaol awaiting trial, and observes that by the prompt action taken in regard to this disturbance much bloodshed has been averted.	11
11	To Sir John B. Thurston.	Aug. 31	Approves his proceedings as reported in his despatches of June 25 and July 2, 1894, and expresses appreciation of the good services of Messrs. Allardyce and Hopkins, and of Dr. Joynt.	12
12	Mr. W. Fillingham Parr.	Sept. 4	Inquires whether it is true that Sir John Thurston's term of office as Governor has been extended by four years.	13
13	To Mr. W. Fillingham Parr.	Sept. 22	States that Sir J. Thurston's term as Governor has been extended by four years.	13
14	Mr. W. Fillingham Parr.	Sept. 24	Submits further observations in regard to the lamentable condition of the natives of Fiji, and expresses regret that Sir J. Thurston's term of office should have been extended.	13

Serial No.	From or to whom.	Date.	Subject.	Page.
		1894.		
15	To Mr. W. Fillingham Parr.	Oct. 9	Acknowledges the receipt of his letter of September 2, 1894.	15
16	To Sir John B. Thurston.	Oct. 9	Requests him to furnish a special report on the alleged decrease of the native population.	15
17	Sir John B. Thurston.	Aug. 13 (Rec. Sept. 26.)	Reports that sentence of death has been passed on the persons concerned in the recent murders and the subsequent native outbreak, but that in some instances he has commuted the sentence to penal servitude.	15
18	Mr. W. Fillingham Parr.	Oct. 10	Points out that the subject of his letter of September 24 was the wrongs of the natives, and not the extension of the Governor's term of office, as assumed by the Colonial Office reply.	16
19	Sir John B. Thurston.	Sept. 7 (Rec. Oct. 30.)	Denies Mr. Parr's allegations in his letter of July 18, which will be replied to in detail by the Officer Administering the Government.	16
20	Acting Governor Berkeley.	Sept. 19 (Rec. Oct. 30.)	In the absence of Sir J. Thurston, submits observations on the charges, statements, and innuendoes contained in Mr. W. F. Parr's letter of July 18, 1894.	16
21	To Sir John B. Thurston.	Nov. 12	Requests him to thank Mr. Berkeley for his exhaustive reply to Mr. W. F. Parr's allegations.	34
22	Sir John B. Thurston.	Dec. 19 (Rec. Jan. 31, 1895.)	Transmits, as far as completed, the Native Commissioners' latest report, which deals with the subject of infant mortality; and submits observations on the question of the high death-rate.	34

Map showing area of disturbances - - - to face p. 4.

FURTHER CORRESPONDENCE

RESPECTING THE

A F F A I R S O F F I J I

AND THE

NATIVE POPULATION.

No. 1.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.

(Received July 18, 1894.)

St. James's Lodge, Addiscombe,
July 18, 1894.

SIR,

I AM compelled at last to address you about the condition of the natives of the Fiji Islands, for the whole place is seething with rebellion, and I hope you will not neglect this warning. You may have seen that there was an outbreak telegraphed from Auckland last week, and that the Governor with an armed force had shot down seven of them, who were only armed with clubs. This is but the beginning of trouble. The natives will not pay their taxes because they cannot; and when the tax collector goes to arrest them he must be prepared for the consequences. At the present time they are literally *starving*! although the islands are so prolific. The cocoanut, one of their chief articles of use and food, is tambu'd nearly all the year round, and they are unable to get oil for their daily requirements. There have been cases of cannibalism recently, but all mention of them is suppressed, simply because the Governor has gagged the local paper by appointing the editor Acting Attorney-General.

The Governor also has his spies in the Post Office, and no hesitation is shown in opening or stopping any letters received from outside, or sent outside, the Colony. A settler called on me yesterday who just came from Fiji, and he brought one of my own envelopes with the Postmaster's signature on it, saying it was opened *by mistake*! A number of letters from Fiji I have never received, and the Governor boasts of knowing all about the private affairs of everyone in the Colony. But he has always had control of the correspondence in Fiji; his brother being Postmaster when Sir A. Gordon was Governor and he was Colonial Secretary. The successor to his brother told me that he found great numbers of letters addressed to Fiji Colonists which had been opened and hidden away at the top of an old cupboard in the Post Office.

The death-rate is something appalling! From letters received by hand, it is stated to be 20 times as much as the birth-rate. But the Wesleyan missionaries will tell you that it is more than double as much. You are responsible for the present state of things! You keep a man there as Governor for a year and a half longer than the usual time. A Colonial Office rule was broken by appointing him, as he was himself a colonist; and he has as bad a record as any man in such a position ever had. I know his career for the last 35 years, which I shall be glad to tell you. I do not imagine you will take any notice of what I have written; but let me tell you this:

One of the noblest savage races on the face of the earth is now actually starving for want of food; they are dying by hundreds chiefly from the insanitary condition in which they live, and the Governor, who is supposed to be their protector, is their greatest oppressor. The first outbreak has occurred through their being goaded to retaliate, and he shot down seven; at the next outbreak he will probably have to shoot down 70; but as long as the present system of slavery exists—it is nothing else—the natives will always be in a state of rebellion.

An independent commission of inquiry, such as was asked for 15 years ago, *must be appointed*. If you refuse it, it will have to be granted by your successor; but when the commission reports it will not redound to your credit that you neglected this warning.

I am ready to call upon you or anyone else at any time you appoint, and to explain more fully than I can by letter all that you may want to know.

As a last word, I ask you to telegraph to the Governor of Fiji, and beg him not to shoot any more of the poor defenceless creatures.

I have, &c.

WM. FILLINGHAM PARR.

No. 2.

THE MARQUESS OF RIPON to SIR JOHN B. THURSTON.

[*Answered by Nos. 19 and 20.*]

SIR,

Downing Street, July 26, 1894.

I HAVE the honour to transmit to you a copy of a letter* from Mr. W. Fillingham Parr, on the subject of the condition of the natives of Fiji.

This letter contains a number of very strong allegations, unsupported by any evidence, and I need hardly say that, in the absence of such evidence, I have no disposition to attach weight to them; but as the writer, who has often previously corresponded with this Office on such matters, has made them, you will probably be glad to have an opportunity of furnishing me with your observations upon the letter, not only in regard to the native question, but also in regard to the statements affecting the Post Office administration.

I have, &c.

RIPON.

No. 3.

COLONIAL OFFICE to MR. W. FILLINGHAM PARR.

[*Answered by No. 5.*]

SIR,

Downing Street, July 26, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 18th instant,* regarding the condition of the natives in Fiji.

His Lordship desires me to observe that, as your letter contains grave allegations, not only in relation to native questions but also in respect of the local Post Office administration, he has thought it right to allow the Governor of the Colony an opportunity of replying to it.

I am, &c.

EDWARD FAIRFIELD.

No. 4.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.

(Received July 27, 1894.)

[*Answered by No. 6.*]

SIR,

St. James's Lodge, Addiscombe,

July 26, 1894.

WITH reference to my letter of 18th instant,* I received by the mail yesterday, *via* Vancouver, the local papers containing all that was known up to the present about the rebellion of the natives in Fiji; I also received a letter from a settler, confirming the news received by cable from Auckland. I therefore conclude that you have also received a Despatch from the Governor which, in reply to Mr. Hogan, you told him you were waiting for.

I fail to follow your reasoning why a special commission should not be appointed to inquire into the working of the Native Taxation scheme, when the starving natives are dying by hundreds, and the whole country is in a state of rebellion.

I just ask you to consider whether, if the natives were contented and happy, they would have again resorted to their heathen practice of cannibalism. If the Governor has not reorted these acts to you, why has he not done so? The answer is obvious.

I have, &c.

WM. FILLINGHAM PARR.

No. 5.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.

(Received July 28, 1894.)

[Answered by No. 6.]

MY LORD,

St. James's Lodge, Addiscombe,

July 27, 1894.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of yesterday's date,* and beg to thank you for so kindly promising to send a copy of my letter to the Governor of Fiji. I must beg your Lordship not to accept his denial of my charges without allowing me an opportunity of proving them. I claim this as the right of an honest man.

I would like to ask your Lordship if you read the question of Mr. Hogan in last Tuesday's paper, and Mr. Buxton's reply to same.† It shows how the Colonial Office has been hoodwinked, that no inquiry has been held into the working of the "Native Taxation Scheme" (which was put in force without the sanction of Lord Carnarvon) when it is the cause of suicides, child murder, an appalling death rate, relapse from Christianity to heathenism, slavery, starvation, and rebellion. All that the Colonists demand is an *honest and independent* commission of inquiry.

I have, &c.

WM. FILLINGHAM PARR.

No. 6.

COLONIAL OFFICE to MR. W. FILLINGHAM PARR.

SIR,

Downing Street, August 8, 1894

I AM directed by the Marquess of Ripon to acknowledge the receipt of your two further letters,‡ dated the 26th and 27th ultimo, regarding the condition of the natives in Fiji.

I am, &c.

EDWARD WINGFIELD.

No. 7.

THE MARQUESS OF RIPON to SIR JOHN B. THURSTON.

[Answered by No. 20.]

SIR,

Downing Street, August 8, 1894.

IN continuation of my Despatch of the 26th instant,§ I have the honour to transmit to you copies of two further letters‡ from Mr. Fillingham Parr, regarding the condition of the natives of Fiji.

A copy of the question asked by Mr. Hogan and of Mr. Buxton's reply, referred to by Mr. Parr, is enclosed for your information.

I have, &c.

RIPON.

* No. 3.

† See Enclosure in No. 7.
§ No. 2.

‡ Nos. 4 and 5.

Enclosure in No. 7.

Mr. HOGAN asked the Under Secretary of State for the Colonies whether he had any official information that would throw light on the causes of the recent native outbreak in Fiji, reported in a Reuter's cable message from Auckland, dated 9th July.

And, whether he could confirm or contradict the statement that there is considerable disaffection amongst the natives of that Colony, consequent on their being compelled to pay heavy taxes on the produce that they raise and require for their own sustenance?

Mr. BUXTON.—We have as yet no information on the first point; and as to the second there is no reason to believe, so far as is officially known, that there is disaffection amongst the natives of Fiji on account of the method of taxation in force.

No. 8.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.

(Received August 15, 1894.)

[*Answered by No. 11.*]

Government House, Suva, Fiji,

June 25, 1894.

MY LORD,

I REGRET to inform your Lordship of a serious disturbance that has occurred in the mountain district of Seaqqa, in the island of Vanua Levu, the second largest island in the Colony.

2. Information upon the subject, dated the 3rd of June instant, first reached me from the Roko Tui of Macuata upon the morning of the 11th to the effect that, in consequence of the Chief and some of the people of a hill town called Calalevu having failed to attend to their duties in connexion with native tax matters, they had been summoned to appear before the local native court.

3. Upon the arrival at Calalevu on the 31st of May of three local native constables sent to serve the summonses, they were met by a crowd of natives armed with spears and clubs. They also saw that the people of the town had blackened their faces as is the practice in war time.

4. Having served one summons, the Chief of the town, one Qaranivalu (the War Cave) then approached and ordered them to return the way they came. This order they refused to obey, when they were rushed upon and all struck with the ordinary "ula" or throwing club of the country. Two, however, managed to escape with bruises, but the principal officer, Eroni, being struck fair in the breast, fell to the ground, and was subsequently carried into the town.

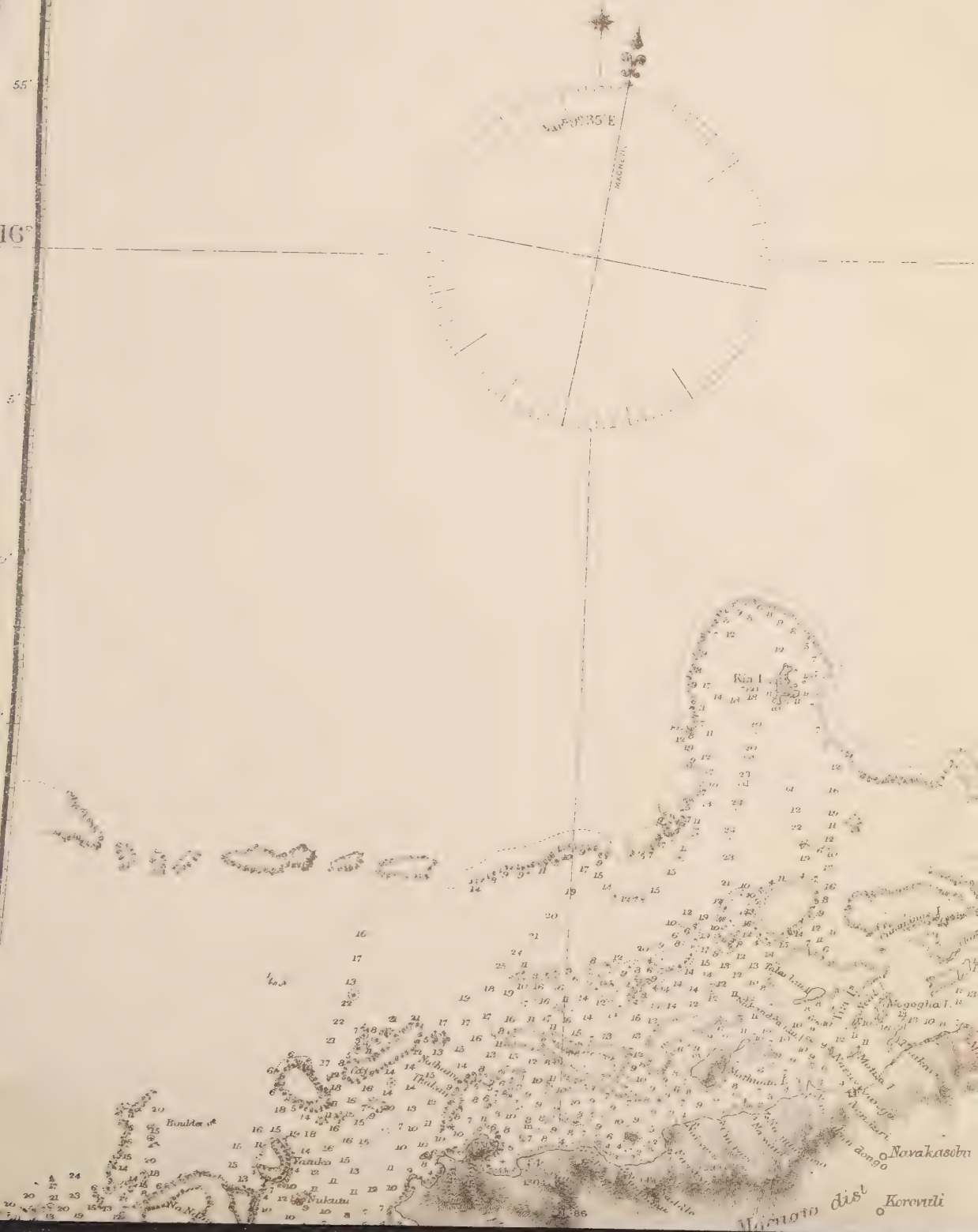
5. When this officer sufficiently recovered, the Chief Qaranivalu sent him back to the Buli of Seaqqa with a defiant message. He also told the constable to warn the people of the neighbouring towns of Nacereaga and Delaiviti that he would attack them next day. The Roko's letter added that Qaranivalu some short time back had set up the worship of a heathen war-god named "Vetawa," and had built a "Vale-ni-tevoro," or heathen temple, wherein he had established two "bete" or heathen priests.

I have been unable to so far learn the reason for the threat against the village of Nacereaga and Delaiviti, the people being too much scattered and alarmed to allow me to ascertain all the facts, but I have reason to believe it was due to a previous refusal on the part of the people of those villages to join Qaranivalu in his reversion to heathen worship.

6. So far as I have been able to ascertain, these disturbances were also connected with a desire of the Seaqqa tribe, numbering some 600 or 700 people, or of a section of them headed by Qaranivalu, to resist the authority of the Roko of Macuaya and transfer themselves to the adjoining province of Cakaudrove. Much intriguing, I found, had been going on, and the chief promoters are in custody. These intriguers appear to have been promised success by the two "bete." This subject, I should add, will be fully investigated.

7. On the 1st of June, the day following the assault upon the officers, Nacereaga was attacked and its inhabitants fled to Delaiviti, about a mile distant. Delaiviti was then attacked by an armed party, and the people of both villages took to the forest. Upon an accompanying map, I have endeavoured to show roughly the relative situations of the several Seaqqa towns.

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8. The Chief Qaranivalu, emboldened by these easy adventures, then appears to have threatened the village of Saivou, and, in consequence, the Roko of the Province, on the 5th of the month, sent a Chief named Peni Sogia—a man of considerable local rank—with a few unarmed men to remove the people to a place of safety.

9. By this time, however, Qaranivalu and party had decided to act on the offensive, and while Sogia and his men were being served with food by the Saivou people they were surprised by Qaranivalu and a war party represented as comprising 40 men. Sogia and two others were speared, and two men, named Samisoni and Sakiusa respectively, were speared and then killed with clubs and war axes.

10. Sogia and others escaped by flight, and the bodies of the men killed were carried off by Qaranivalu's party. Upon this being reported to the Roko, he decided to act on the defensive only and await the result of his report to me of the 3rd instant.

11. Your Lordship will please observe that the information sent to me by Roko Tui Macuata on the 3rd of June was only such as is contained in the 2nd, 3rd, 4th, and 5th paragraphs above. The further information reached me only upon my arrival at Macuata on the evening of the 12th instant.

12. On the receipt of the Roko's letter, I at once called a meeting of the Executive Council at which it was decided that a force of armed native constabulary should be sent without delay to Macuata for the purpose of repressing further disorder. After leaving Council, rumours reached me, the source of which could not be traced, that further disturbances had arisen and—as subsequently shown to be true—that bloodshed had occurred.

13. Notwithstanding very heavy pressure of work in my office, I decided, in view of the probable gravity of the situation, that it was my duty to proceed in person to the spot, in order that no unnecessary, and perhaps dangerous, delays should occur in the restoration of good order. I therefore left Suva at midnight of the same day the 11th instant in the S.S. "Maori," accompanied by my private secretary, the Assistant Native Commissioner and 40 members of the Armed Native Constabulary under Ratu Epeli.

14. We reached Naduri, the chief town of Macuata, the next evening, the 12th of June, and at 7 o'clock the Roko, accompanied by the European stipendiary magistrate of the province, came on board and reported the occurrences which, for the sake of clearness, I have already detailed in paragraphs 7 and 8 above.

15. Both officers informed me that five other small towns of Seaqqa, named in the margin, had joined Qaranivalu, now at the head of about 100 men, and that the movement, fomented by two "bete ni kalou" (heathen priests) was spreading. I decided to land in the morning as soon after daylight as possible, and, as I could not see how long I might be detained inland, to discharge the S.S. "Maori" and order up the Colonial despatch boat "Clyde" which was absent from Suva on important business at the time of my departure.

16. At 7 a.m. of the 13th I landed at Naduri and met such of the Chiefs of the province as were assembled there. I also enrolled 16 men who had formerly served in the Armed Native Constabulary, and who knew the country, making the strength of the constabulary up to 56. A number of baggage carriers were also engaged.

17. The men wounded at Saivou upon the 3rd instant were found doing well under the care of the district medical officer, Dr. Joynt. This gentleman at once volunteered to accompany me inland, and I accepted his services. Mr. Hopkins, stipendiary magistrate of the province also placed his services at my disposal, and I deemed it advisable, for many reasons, to take him with me. After a hasty breakfast and the despatch of letters to Suva, we took the road for the mountains at 10 o'clock.

18. A tiresome march of 10 miles, under a broiling sun, brought us to the town of Natua where we halted for the night. Natua is built on the bank of an affluent of the Dreketi river, and is the home of the Buli Seaqqa. I noticed at once that the natives of the town were conspicuous by their absence, and was not surprised to learn subsequently that none of them had responded to the Buli's call for baggage carriers for the morrow.

19. This circumstance, however, did not surprise me. It could hardly be expected that an ignorant and now alarmed body of people like the Kai Seaqqa would view the sudden arrival of the governor and the proceedings in hand without concern and perplexity. The offending people were also Kai Seaqqa and their own blood relations. I instructed the Chief not to press the native villagers, but to continue the same carriers as before.

20. A report, subsequently verified, reached me here that Qaranivalu had left the town of Calalevu, and for some days past had been occupied in strengthening an almost

inaccessible hill top named Caumurimuri. This place I learned was the strongest "koro ni valu" or fighting town in Seaqqa, and had never been taken by an enemy.

21. The Buli of Labasa, I also learned, had occupied the hill town of Naraqali in order to prevent its people from joining Qaranivalu. I sent a message to this Buli instructing him to communicate with Qaranivalu, if possible, through the people of Naraqali and advise him to surrender to the warrants issued for his apprehension without fighting.

22. Upon the 14th we left Natua and marched nine miles to Nacereaga, a small town very well situated upon another affluent of the Dreketi river. The banks of the river seemed very fertile, and large quantities of food were seen in every direction. As we crossed over a wide plain on the way to Nacereaga, the town of Caumurimuri was visible on the hill top. Its occupants blew their war conchs and waved flags, which is the Fijian mode of challenging an assault.

23. In the afternoon, a camp was formed outside of Nacereaga proper, where the steep bank of the river on one side, and the remains of an old fighting trench or ditch on the other, assisted in making a night surprise difficult. The distance of the camp from Caumurimuri was about $2\frac{1}{2}$ miles, and 800 feet below it.

24. In the afternoon, I called to council the Roko, all the Bulis present, and a few old people who had been leading fighting men in former days, and discussed the following questions :—

(1.) The possibility of serving warrants upon the people of Caumurimuri without resorting to force, and

(2.) If force became necessary, how the place should be approached.

25. As to (1), the Chiefs were unanimous that Qaranivalu and his people would not only fight, but would attack our party if given the slightest opening. They brought before me the Chief of the town of Nacereaga and four others—one of whom had a son named Nasulu in Caumurimuri. They one and all declared that, owing to the devilry ("Vakatevoro") set up, the savage conceit of Qaranivalu's party, and the faith reposed in the two "bete," their own lives, even though they were blood relations, would not be safe if on any pretext they approached the fighting town, from which they had already been warned off. The one old man declared that even his own son would kill him if he went there.

26. It now became my duty to consider what course I should adopt under these difficult and regrettable circumstances. Your Lordship is aware that for some years past a reversion to heathenism, and the commission of murder and other atrocities which must accompany its Fijian form, has only been kept down in the mountains of Viti Levu by constant watchfulness, and the exercise of prompt measures. In this connexion, I would refer your lordship to my Despatch noted in the margin, and to previous despatches therein specified. It will also be within the recollection of your Lordship's department, that in the year 1882, during the administration of Sir William Des Voeux, it was necessary to send to the Dreketi district an armed party under command of Major Herbert in support of Special Commissioner Sir John Gorrie. The troubles of that period were fomented, as was subsequently known, by so called "bete," old priests or the brothers and sons of old priests, who, discontented at having no part to play as of old, and being no longer of importance, lose no opportunity of making mischief as opportunities offer. The "betes" Calevu and Kilikili, now with Qaranivalu, were known to be men from Vatusomi, one of the hill towns of Dreketi, a place still something of a hot bed of "Vakatevoro" to use the native expression.

27. The quarrel between a man named Vude and the Buli Dreketi, respecting mataqali lands, which was the occasion of the appointment of a special commission by Governor Sir William Des Voeux, was, I might parenthetically observe, a matter of comparative unimportance to that which I have been suddenly called upon to deal with at Seaqqa. The people of five villages of Seaqqa and a few struggling vagabonds from other places had already joined Qaranivalu. Any hesitation, or any reverse, of the Government authority would probably carry over the remainder of the Seaqqa people, and the mountain towns of Dreketi would follow. Then the news would rapidly spread to Viti Levu. The hill districts of Bobuco, Natokaimalo, Nalawa, and other places where similar mischief has, up to the present, been fairly well suppressed, would build their temples, offer up their victims, and the whole Colony would, in all probability and within a week or two, be thrown into a state of disorder which could only be remedied at the cost of much time, money, and loss of life.

28. I had no doubt, from information received, that the people of Caumurimuri had committed acts of cannibalism in addition to those of murder. My 30 years' experience

of the race justified me in attaching confidence in this respect to my own conclusions. In my judgment, it was perfectly plain that the murderers must at any cost be promptly arrested under the warrants issued, and the authority of the "Matanitu" vindicated, or most deplorable evils would speedily follow.

29. The Roko and Chiefs were then informed that I had decided to serve the warrants already issued for the arrest of Qaranivalu and certain other persons at 10 o'clock on the following morning, that Sergeant Ratu Vula, the chief native police officer of the district, (there is no European officer) would endeavour to serve them and would be supported by the Armed Constabulary.

30. On the following morning, the 15th June, the constabulary and local posse accompanying the Roko (including some Seaqaqa people) mustered in the town, and I explained their duties.

Sergeant Vula with the warrants, accompanied by one part of the force, would ascend the mountain on its south face, and Ratu Epeli with the other would ascend by the northern face. They were to do their best to bring about a parley, calling upon Qaranivalu to come out and surrender. A full hour was to be given him to surrender, at the end of which time, if he was still defiant, the place was to be carried by force and the offenders arrested. No women or children were to be injured nor interfered with on any account.

31. The constabulary then moved off, and having cleared all Seaqaqa people, whose *bona fides* was, to say the least, doubtful, out of camp, one entrance to it was kept by the Assistant Native Commissioner and magistrate and the other by myself and private secretary. Three of the least active members of the constabulary were also retained in camp to cover the ammunition and baggage, and be at hand in the event of emergencies.

32. At 2.30 p.m. firing was heard in the direction of the mountain top, and continued at intervals for an hour. At 5.30 p.m. the force returned, and reported that, upon the party under Ratu Epeli appearing in sight of Caumurimuri, Qaranivalu and his party challenged them to "come on and be killed." Ratu Vula, the sergeant of police, pushing on by the shorter route arrived first at the fighting town, the way to which was barred by a stockade, trunks of trees placed horizontally, and by huge boulders of rock. Upon summoning Qaranivalu to surrender to the warrants, the sergeant was answered by a flight of clubs and spears, and one of the force was wounded. The constabulary after some delay then opened fire and rushed the town, which was only eventually entered by crawling upon hands and knees. The sergeant, Ratu Vula, received a spear wound in the leg, another had a spear driven through his hand, and two men were injured by clubs. On the side of Qaranivalu seven men were shot dead (among them a man named Ulacake, one of the actual murderers of Samisoni), and two men leapt the precipice, to avoid capture, and were killed. The Chief Qaranivalu and other active men escaped in the confusion, as did the two priests, their escape being almost wholly due to the orders given that no women or children were to be hurt.

33. The wounded men on arriving at camp were at once attended to by Dr. Joynt. The dismembered and partly disembowelled bodies of the murdered men Samisoni and Sakiusa were found in the town below Caumurimuri, and from the appearance of the bodies and, from evidence about the "bure ni kalou," or heathen temple, no doubt remained as to the accuracy of the report that portions of the bodies had been eaten. The "bure kalou" was burnt, and a large piece of black basalt, supposed to be the shrine of the War God "Vetawa," was thrown over the precipice.

I beg leave to enclose copies of the affidavits of those who saw the bodies of the murdered men.

34. The warrants issued for the apprehension of Qaranivalu and others were returned to the magistrate with a declaration that, being resisted by force, the sergeant had been unable to execute them. I then despatched letters to Buli Wailevu, on the Cakaudrove border, with a brief account of what had happened, and notifying him that Qaranivalu and the two "bete" were supposed to have fled in his direction. The Buli was ordered to turn out search parties, and, if possible, arrest these people and bring them before me. As to fugitives generally, they were, if caught, to be told that they might come back to their relatives or friends in Seaqaqa, but that Calaleva and Caumurimuri were to be inhabited no more.

35. On the morning of the 16th, I despatched a large party to search the forest for any wounded people, and also to bring in a very few old people and three or four children who had taken refuge in a cave. These people gave testimony in respect of the acts of cannibalism of Qaranivalu and others. The party, which returned in the afternoon, also found one wounded woman who unfortunately had been struck by a

stray bullet while running through the scrub. She explained the circumstances and gave some useful information, but expired while being borne on a litter to the camp. Learning that the deceased was a native of Delai Viti who had lately run away from her home to join a married man in Calalevu, I caused the body to be carried to that village for burial among her own people.

This was the only casualty befalling a woman; no children were injured.

36. The statements of the people referred to in the first part of the preceding paragraph were noted down separately by the Assistant Native Commissioner. I enclose copies of these notes.

37. As the arrest of Qaranivalu and other chief criminals was now merely a matter of a day or two, I decided on the 17th to return to Natua, and the whole party accordingly marched out of Nacereaga at noon. At the moment of our departure, a message came to me from Buli Wailevu to report the capture of one of the "bete" and some others. I directed him to send the "bete" to Naduri and the others to the Buli Seaqaqa at Natua.

38. I left Natua on the 18th of June, after addressing the head natives of Seaqaqa, and reached Naduri upon the coast at 2 p.m., where I found the Bulis of Dreketi and Lekutu had just arrived with over 400 men. Another messenger here overtook me, from Buli Wai Levu, reporting the arrest of Qaranivalu.

39. Finding the whole island was now aroused and that large bodies of men were likely to come in from all directions, I despatched messengers, thanking them, but ordering their return, as order was now restored. My Matanivanua also summoned all people present to meet me in the "Rara," or public assembly ground of Naduri, at 4 p.m.

40. At the hour appointed, I met upwards of a thousand people in the Rara, and formally received the customary expressions of loyalty from the Chiefs and leading men of the numerous Mataqali present, at the end of which I addressed them at some length. The Roko responded and dwelt upon what had been said with regard to the promptness with which the people who, as he described, had "made the land stink" had been forced out of their fighting town, and were now being arrested. From Seaqaqa to Suva, he said, was a great distance, nearly 200 miles. The Governor had received his appeal for help on Monday, the 11th, yet by the following Thursday, the third day, he had travelled another 200 miles and had camped under the hills of Caamurimuri, and on the next day the murderers of Samisoni and Sakiusa, refusing to surrender, were either dead or hiding in caves and forests. The Chief said, take warning by this, and abstain from crime, and from putting faith in false gods. At the end of the Roko's speech I received the customary tabua (whale's tooth) and requested everybody to return at once to their homes.

41. I beg leave to enclose an account* of the disturbance as published in the local newspaper, which is substantially correct.

42. On the 19th, having made arrangements for the safe keeping of Qaranivalu and other leading culprits, and for their conveyance to the court house at Labasa, where they will doubtless be committed for trial in the ordinary way, I also appointed a commission, consisting of Buli Dreketi, Buli Macuata, and the Native Stipendiary Magistrate of Macuata, to proceed at once to the hill district of Dreketi and inquire into, and report upon, the existence or otherwise there of the heathen practice of kalouni-wai-kalovou, &c., &c.

43. I embarked at 1 p.m. with my staff and the constabulary in the "Clyde," and proceeded down the coast as far as Galoa Island, where anchorage was come to for the night. Shortly after anchoring, a heavy gale of wind set in from the south and detained me on the coast until the morning of the 23rd. Upon that day, though it was still blowing hard from the south, we managed to get away from Bua, and reached Suva on the afternoon of the 24th after a very boisterous passage.

44. I cannot conclude this despatch without expressing my satisfaction at the manner in which the officers and men (all natives) of the Armed Constabulary conducted themselves throughout. They were thoroughly loyal and thoroughly under discipline. I should also mention that, by the 4th section of the Armed Native Constabulary Ordinance 1889, the constabulary has all the power and privileges of the police force. I desire also to place on record my recognition of the services of Mr. Allardyce, Assistant Native Commissioner, Mr. Hopkins, and Dr. Joynt, magistrate and medical officer, respectively of the Province of Macuata, and of Mr. F. Spence, my private secretary each and all of whom rendered me a zealous assistance.

I have, &c.

JOHN B. THURSTON.

Enclosure 1 in No. 8.

AFFIDAVITS in connexion with certain Murders and alleged Acts of Cannibalism in the Province of Macuata taken this 16th day of June 1894, at Nacereaga, in the District of Seaqaqa and Province of Macuata.

Jovesa Korovulavula, sworn, saith :—When we left Saivo yesterday we went up to Watidratagane. When we got there we heard the guns firing in the town above. While we were there we smelt the smell of dead bodies. I went to see what was stinking and found two dead bodies. I saw that they were the bodies of Samisoni and Sakiusa. I knew and recognised them. From the body of Sakiusa a leg had been removed, I saw that the other leg was there. I saw that Sakiusa had a black liku on. I saw that his stomach had been cut open. I did not look at the two bodies more closely, as the firing was going on in the town above. I did not look so closely at the body of Samisoni. I saw the “Bure vakatevoro” in the town at “Watidratagane.” I saw the “Devil Stone” which had leaves tied round it which we call “Naverevereti.” I also saw a broken ula there placed alongside the stone. These things which I saw in Watidratagane I know to belong to devil practices. The leg of Samisoni had been cut off at the groin and his stomach cut open. It is a cannibal practice of the old times to cut off a leg or an arm or any part of the body and to cut out the liver and heart and to eat them. It was the old custom to rip up the stomach to get the liver which was generally cooked. This had apparently been done in the case of Sakiusa. I had no doubt when I saw Sakiusa’s body that those who had killed him had practised cannibalism and had taken away the leg and heart or liver to eat. Both the bodies were tied to a pole in the old way of carrying bodies of the slain to be eaten.

his
JOVESA KOROVULAVULA X
mark.

Taken and sworn before me this 16th
day of June 1894.

(Signed) WALTER HOPKINS.
S. M. MACUATA.

Isikeli Kaiatia, sworn, saith :—I am Roko of the Province and, on account of an outbreak made by some of the hillmen of my Province who had killed two of my people, I swore a charge before the European magistrate against certain of the hillmen for murder. I went with my people to put into force these warrants. The hillmen refused to allow us to approach them. We found them inside a fence on the top of the hill where they challenged us to fight. They had fortified themselves on the top of a hill called Caumurimuri, cut down orange trees as a palisade, and done everything they could to strengthen their position. All the people of the town were armed with spears and clubs. After the old custom, they “cibi’d,” which was an insult to myself and my people. I shouted out and remonstrated with them, but it was no use.

his
ISIKELI KAIATIA X
mark.

Taken and sworn before me this 16th
day of June 1894.

(Signed) WALTER HOPKINS.
S. M. MACUATA.

Epeli Vakacaracara, sworn, saith :—I am Native Officer of the Armed Native Constabulary. We went yesterday with the Roko to Watidratagane. At Watidratagane I smelt the smell of dead bodies. When I came back from Caumurimuri I went to look for the bodies that I had smelt. I found two. I saw that one of the bodies was without a leg. It had been cut off at the thigh. Both bodies had been slung on sticks, after the old heathen practice of carrying dead bodies prior to their being eaten. It is the old heathen custom to cut off some limb of a person killed in war and take it and cook it.

his
EPELI VAKACARACARA X
mark.

Taken and sworn before me this 16th
day of June 1894.

(Signed) WALTER HOPKINS.
S. M. MACUATA.

Buli Nadogo, sworn, saith :—Yesterday I went to Watidratagane and I saw there the devil's house. When there I smelt the smell of dead bodies. I did not go and see the bodies, as the smell was too bad. I went to the house of the devil and saw a stone planted in the doorway.

Examined.—It is the old custom, the carrying the dead bodies into the towns on poles when they are intended to be eaten. When they are brought to the town a part is then cut off and the stomach is cut open and the liver taken out and eaten when cooked.

his
BULI NADOGO X
mark.

Taken and sworn before me this 16th
day of June 1894.
(Signed) WALTER HOPKINS.
S. M. MACUATA.

Osea, sworn, saith :—I am a native of Naduri. I went to Caumurimuri yesterday with Sergeant Vula. I assisted Vula in taking the town of Caumurimuri. After that I went into the lower town and heard that the bodies of Sakiusa and Samisoni were lying there; the Roko gave me permission to go and bury them. I saw the bodies and knew both. I recognised them. One had his leg cut off at the hip and the other at the knee. Their stomachs and chests were cut open and the liver and other parts absent. I have no doubt about it, the whole of the front of their stomachs were cut away. I believe that the limbs and other parts of the body carried away were taken for the purpose of being eaten by the Chief. I think this because I have seen the same thing done when I was a boy before we adopted Christianity. The liver was always taken to the Chief—from this, I believe, that portions of the bodies of the two men murdered were taken away and eaten. We buried the bodies, I and some young men from Tabia. These men were Ilaitia, Kotoa, and some others. I identified both bodies. I knew both deceased personally.

his
OSEA X
mark.

Taken and sworn before me this 16th
day of June 1894.
(Signed) WALTER HOPKINS.
S. M. MACUATA.

Enclosure 2 in No. 8.

MINUTE to HIS EXCELLENCY.

With regard to the acts of cannibalism committed by Qaranivalu and others, I may mention that on the evening of the 15th, accompanied by the Roko of the Province and the provincial scribe, I proceeded to that portion of our camp where the four prisoners taken that afternoon were. I there found two old women, Vero and Tinaibune, also Wainisese and Tikate, a boy and a girl of about nine years of age. On being examined separately, all admitted that Sakiusa Caravo and Samisome Ranoka had been murdered, and that portions of their bodies had been subsequently taken up to Caumuremere, the site of the old war town, and cooked and partaken of there. Vero stated that all the men joined in this feast, while Tinaibune particularly specified Qaranivalu, Veresa, Tamaimakau, and Manaqumu; while Tamaisese mentioned Qaranivalu, Manaqumu, and Ratinitini.

On the following evening, three other prisoners—two old men Tomasi Nadra, and Leqe were brought in, also a small intelligent boy of about 10, called Mo. On being examined by the Roko and myself, Tomasi stated that Sakiusa and Samisoni had been murdered, and that portions of their bodies had been cooked and eaten at Caumurumuru by Ramoi, Tamainaewe, Veresa, Tamaimakau, Qaranivalu, and Manaqumu. Mo, in a frank childish way, admitted that Ramoi, Veresa, Tamaimakau, Qaranivalu, Navera, Leqe, and his father, Racerekece, had joined in this orgie. Leqe, a surly old man who had refused to speak, on hearing his name mentioned by Mo, called out "You are a liar, I did not partake, but you did."

I have not the slightest doubt, judging from the dismembered condition in which the bodies of the two men were found, the performances of the old heathen practices appertaining thereto, and the earth oven which I subsequently saw alongside of the stone gods after the town was taken, coupled with the corroborative statements of the prisoners, that cannibalism was committed by Qaranivalu and a number of the men at Caumuremure.

18th June 1894.

W. L. ALLARDYCE,
Assistant Native Commissioner.

No. 9.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.
(Received August 15, 1894.)

[Answered by No. 11.]

Government House, Suva, Fiji,
July 2, 1894.
MY LORD,
WITH reference to my other Despatch,* concerning recent events in the Island of Vanua Levu, I have the honour to inform your Lordship that Qaranivalu and all other persons, including the two "bete," or heathen priests, concerned in the murder of the two Macuata men referred to in that Despatch, have been arrested and were yesterday received into the Suva gaol. These persons will be tried in due course.

2. From information which I have just received from Vanua Levu it would appear that but for the action taken by me I should be now face to face with very serious difficulties, originating, as far as I can at present see, in the jealousies and animosities of a semi-savage community.

I have, &c.

JOHN B. THURSTON.

No. 10.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.
(Received August 29, 1894.)

Government House, Suva, Fiji,
July 16, 1894.
MY LORD,

WITH reference to my Despatch of the 25th of June last,* reporting certain recent disturbances in the Island of Vanua Levu, I have the honour to now inform your Lordship that the Chief (one Qaranivalu), the two heathen priests mentioned therein, and sundry other persons concerned in the murder of the men Samisoni and Sakiusa, having been arrested, were received into the Suva gaol on the 1st instant.

2. I am now in possession of facts which show that, but for the prompt action taken by me, most serious disturbances and bloodshed would have occurred. The prisoners state that the object of murdering the two men named, was to encourage or provoke an attack by the Macuata people upon the town of Cala Levu. It had been arranged that, in this attack, one portion of the Seaqaqa people under the leadership of a man named Yacadra or Kato ni Vere, who appears to have been the origin of the whole matter, were to treacherously join as allies with the Roko of Macuta while the other portion were to support Qaranivalu in the anticipated attack upon him. It was further arranged that, at the time of attack, the Seaqaqa men accompanying the Roko should divide themselves freely among the Macuata people and that on the conflict beginning, the man Yacadra should cut down the Buli Seaqaqa, which would be the signal for his fellow conspirators turning upon the Macuata people. Had this treacherous, and thoroughly Fijian, scheme succeeded, there can be no doubt that very serious bloodshed would have ensued, and that order would only have been restored with considerable difficulty and further loss of life. The project, however, though in some respects skilfully laid, was entirely upset by the determination of the Roko

of Macuata to take no action without previous reference to the Government, and to my early and unexpected appearance on the spot.

3. It would appear that the man Yacadra had presented whale's teeth (Tabua), in conformity with the old Fijian custom, to Qaranivalu and induced him to promise that he would murder some of the Macuata people, in order to bring on the desired attack as indicated above, and that it should be his (Yacadra's) part to kill Buli Seaqaqa, the Roko's brother.

4. The prisoner Qaranivalu declares that he had no other reason in refusing to come out and surrender, when he knew the Governor was present, than that he accepted whale's teeth and so pledged himself in the most solemn manner known to Fijians, to the man Yacadra.

5. The object of Yacadra, it is asserted, was to obtain the transference of the Seaqaqa district (of which he is a native) to a relative of his residing in the neighbouring province of Cakaudrove. This relative (one Misiawe), had, I should say, as soon as he saw disturbances threatening, disclaimed Yacadra and acted with apparent loyalty towards the Roko Tui Macuata.

6. I had while in Seaqaqa heard a good deal of the man Yacadra's proceedings, and was struck by his furtive, treacherous appearance when he came before me with the offer of his personal assistance to capture Qaranivalu. After the return of the constabulary from the town of Caumurimuri, I ordered him to accompany me to Naduri. He did so as far as the town of Natua, where I passed the night, but he was missed on the following day and I found that he had fled. He was arrested two days afterwards and attempted twice to commit suicide, but fortunately was safely conveyed to the gaol at Labasa, and I expect his momentary arrival in Suva.

7. The trial of these people will begin upon the 24th instant, and in the meantime I am able to report that all is so far quiet in the hill country of Vanua Levu, and that the Assistant Native Commissioner will visit the district of Seaqaqa again in the course of a week or ten days.

I have, &c.

JOHN B. THURSTON.

No. 11.

THE MARQUESS OF RIPON to SIR JOHN B. THURSTON.

SIR, Downing Street, August 31, 1894.

I HAVE the honour to acknowledge the receipt of your Despatch of the 25th of June,* with its enclosures, reporting the causes of, and circumstances connected with, a native outbreak in Vanua Levu, which was attended by cannibalism, and the steps taken by you for the suppression of the outbreak.

I approve of the measures adopted, which happily resulted in the suppression of the disorders, and I notice with satisfaction the testimony which you have borne to the good services rendered by Mr. Allardyce, Mr. Hopkins, and Dr. Joynt on the occasion, as well as to the conduct of the officers and men of the Armed Native Constabulary.

I have also received your Despatch of the 2nd ultimo,† reporting the arrest of Qaranivalu and all other persons, including the two "bete," or heathen priests, concerned in the murder of the two Macuata men, and shall await the result of the trial which was about to take place.

I have, &c.

RIPON.

* No. 8.

† No. 9.

No. 12.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.
(Received September 5, 1894.)

[Answered by No. 13.]

MY LORD, St. James's Lodge, Addiscombe,
September 4, 1894.

IN recent papers received from Fiji I observe that Sir J. Thurston told the natives at the Vei Bose that his term of Governorship had been extended for a further period of four years at an increased salary.

During the last 18 months, three members of Parliament have questioned Mr. Sidney Buxton, and he has in every case assured them that there was no intention of granting any extension of time to the present Governor.

May I respectfully ask your Lordship whether it is the fact that Sir J. Thurston's time has been extended for a further period of four years, thus making his term 11 years?

I am, &c.

WM. FILLINGHAM PARR.

No. 13.

COLONIAL OFFICE to MR. W. FILLINGHAM PARR.

[Answered by No. 14.]

SIR, Downing Street, September 22, 1894.

IN reply to your letter of the 4th instant,* I am directed by the Marquess of Ripon to acquaint you that Sir J. Thurston has been offered, and has accepted, a prolongation of his term of office for a period of four years.

I am to add that Mr. Buxton desires me to state, in regard to the second paragraph of your letter, that you are mistaken in thinking he has assured any member of Parliament "that there was no intention of granting any extension of time to the present Governor."

I am, &c.

EDWARD FAIRFIELD.

No. 14.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.
(Received September 25, 1894.)

[Answered by No. 15.]

MY LORD, St. James's Lodge, Addiscombe,
September 24, 1894.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 22nd instant,† and to express, on behalf of the suffering native commoners of Fiji, my great grief that your Lordship has extended the term of Sir J. Thurston's office for a further period of four years. Sir J. Thurston is only the friend of the Chiefs, the commoners have no one to speak for them. He allows the old cannibal custom of "lala" to be exercised by the Chiefs, even by petty town police officers, without restriction, and without any return being made for the goods, or the time, of the commoners which these Chiefs take and use at their pleasure. Had they exercised this custom in such a manner before annexation, they would have been immediately clubbed to death by consent of the whole tribe; but now, as the Chiefs are backed up in their iniquitous practices by the Government, of course the commoners must submit. If the Governor did not allow the Chiefs to exercise this power unrestrained, how could he get in a tithe of the native taxes? It would be simply impossible to collect them. For if the Chiefs did not get

* No. 12.

† No 13.

more than their share of the plunder from the Government they would soon advise the commoners not to pay any taxes, and, in that case, Downing Street would not have given Sir J. Thurston so much credit for his successful government of Fiji.

It therefore comes to this : the commoners of Fiji are being swept off the face of the earth so that Sir J. Thurston may obtain during his tenure of office a certain amount of kudos. The deaths are, according to the Rev. F. Langham, five to every birth ! On account of the continuous work the commoners have to do for the Government, and for their Chiefs, they have not time to plant sufficient food for themselves, so that in these prolific islands many are now actually starving ; their houses are in ruins, and their towns getting into a most insanitary condition, and thereby largely increasing the death-rate ; their pigs and poultry have nearly all been lala'd by their Chiefs ; many of them have no money with which to buy a cloth to cover their nakedness, and native bark cloth requires too much labour to make ; and, above all, the cocoanut, which is so necessary to the Fijian as an article of food, of use, and principally for the sake of the cocoanut oil, is tambu'd for nine months in the year, and anyone daring to eat one during that time is immediately sent to prison. They have no means of earning money to buy cocoanut oil, and unless their bodies are rubbed with it they sicken and die.

Sir J. Thurston may tell you that the commoners receive the proceeds of the sale of the tax-produce after the amount of assessment is deducted. This is only theoretically true, as the money is sent to the Bulis to distribute, and I have never heard of more than two shillings a head finding its way into the hands of the workers as payment for their year's work—the bulk of it is distributed amongst the Chiefs. I am informed that Sir J. Thurston allows—and I can produce my informant—nearly double the amount of produce required for their taxes to be collected, so that there is all the more for the Chiefs to stick to when the overplus is returned. If he does this, he is interfering with the commerce of the Colony by preventing the commoners from having any produce over, which they could sell for small necessary articles such as soap, &c.

Sixty years ago, England spent 20,000,000*l.* in freeing slaves, yet in the reign of Queen Victoria, under the Queen's own officers, a system of slavery has sprung up in Fiji more gross, more vile, than any the world has ever seen.

Not only are the Fijians good Christians, and respect their missionaries as well as the Sabbath, not only are they British subjects, anxious and willing to obey the Queen's laws, but they are treated far worse than any slaves ever were, in that they are not fed by those for whom they work. They have to work from morning till night the whole year round without hope of a higher payment than 2*s.*, submit to any extortion by their Chiefs, and yet provide their own food !

Sir J. Thurston recently instituted an inquiry into the appalling death-rate, and, I believe, he was positively afraid to publish the report. At any rate, no report has been published in the Colony.

The recent outbreak occurred in a district where 18 months before a hurricane damaged the cocoanut trees and prevented them bearing for a time, and consequently the commoners had nothing with which to pay their taxes. The tax collectors insisted on their paying or going to prison. This tried their Christianity too highly, and they were goaded into resisting, and eventually clubbed and speared two men to death. Of course, as Sir J. Thurston's secretary wrote the account of his suppression of the rebellion to the local paper, as well as to the "Times," the affair is so transformed that the colonists refuse to recognise his version.

Why should these men, who have been Christians and churchgoers for 20 years, have been forced to rebel ? It is not the nature of a Fijian to resist authority or to kill for killing's sake. The Fijian is a pleasure-loving and peaceable man ; he is not warlike ; he wants to be let alone, and to let others alone ; and herein is the hardship of the case : He is forced to rebel, and then shot down for doing so. And if, under the British Government they get no peace, is it to be wondered at if they return to their old cannibal practices ?

Well ! I have no private object to serve. My sympathy was enlisted on behalf of the noble Fijian race by a 10 years' residence amongst them, and recently I have received many long letters from colonists asking me to move in their behalf. I am only doing what I have been asked to do ; and I have written at length so that your Lordship may have other than official information, and in the hope that you will cause an independent inquiry into the condition of the natives of Fiji to be held.

I have, &c.

WM. FILLINGHAM PARR.

No. 15.

COLONIAL OFFICE to MR. W. FILLINGHAM PARR.

[Answered by No. 18.]

SIR,

Downing Street, October 9, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your further letter of the 24th ultimo,* in reference to the extension of Sir John Thurston's term of service as Governor of Fiji.

I am, &c.

EDWARD FAIRFIELD.

No. 16.

THE MARQUESS OF RIPON to SIR JOHN B. THURSTON.

[Answered by No. 22.]

SIR,

Downing Street, October 9, 1894.

STATEMENTS having been made in this country drawing attention to the alleged decrease of native population in Fiji, I shall feel obliged if you will cause me to be supplied with a special report on the subject.

I am aware, particularly from the Council Paper, No. 14, of 1893, that influenza and other diseases have left serious traces in the islands, but I am unable from the information before me to meet satisfactorily a statement that has appeared in print that the death-rate is at present five to every birth.

A further statement has been made to the effect that you had recently instituted an inquiry into the question.

I have, &c.

RIPON.

No. 17.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.

(Received September 26, 1894.)

Government House, Suva, Fiji,
MY LORD, August 13, 1894.

I HAVE the honour to inform your Lordship that the men, Qaranivalu, Navero, Masuveni, Navukatau, Saimoni, and Calevu, concerned in the murder of Sakiusa and Samisoni, referred to in my Despatch of the 25th of June 1894,† were tried on the 25th of July, and on the following day were all sentenced to death. Two of the assessors recommended them to mercy on the grounds of their ignorance.

2. After consideration of the case in Council, together with the report of the Chief Justice, I felt justified in commuting the sentences passed upon the convicts Navakatau and Saimoni to penal servitude for life, and upon the convicts Navero and Calevu to penal servitude for 10 years.

3. Having regard to the gravity of the crime committed, and that they were the most active agents in it, I did not deem it expedient to disturb the sentence of the court passed upon Qaranivalu and Masuveni.

I have, &c.

JOHN B. THURSTON.

* No. 14. † No. 8.

No. 18.

MR. W. FILLINGHAM PARR to COLONIAL OFFICE.
(Received October 10, 1894.)

St. James's Lodge, Addiscombe,
October 10, 1894.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of yesterday,* and will ask you to please correct Lord Ripon's impression that my last letter† was written "in reference to the extension of Sir John Thurston's term of service as Governor of Fiji."

My letter was written on behalf of England's slaves, the poor suffering natives of Fiji, and, notwithstanding the indifference of Lord Ripon to their lot, I shall yet hope to get the British public to pay attention to their condition, and then their wrongs will be redressed.

I have, &c.

WM. FILLINGHAM PARR.

No. 19.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.
(Received October 30, 1894.)

[Answered by No. 21.]

Government House, Suva, Fiji,
September 7, 1894.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 26th of July last.‡

2. Owing to great pressure of business, and the arrival and departure of several mail steamers, I have not been able to leave the Colony for the Solomon Islands upon the date arranged, but shall sail to-morrow at 10 a.m.

3. I have not been able to deal with the letter forming an enclosure to your Lordship's Despatch, excepting in so far as to bring it before the Executive Council and leave it to be dealt with by the officer administering the Government during my absence.

4. I may, however, briefly state that I deny every one of the statements made by Mr. Parr in his letter to Mr. Sydney Buxton, M.P., excepting the one referring to a letter having been opened by the Postmaster in mistake, such a thing not being an impossible occurrence. I can have no objection to the appointment of what Mr. Parr terms "an independent commission of inquiry" should Her Majesty's Government see fit to appoint one, as I am perfectly well satisfied that such an inquiry could only redound to the credit of the Colonial Government.

5. I do not doubt that the Administrator will be able to satisfy your Lordship in the fullest degree as regards the native question, and equally so in respect of the Post Office administration.

I have, &c.

JOHN B. THURSTON.

No. 20.

ACTING-GOVERNOR BERKELEY to the MARQUESS OF RIPON.
(Received October 30, 1894.)

[Answered by No. 21.]

Government House, Suva, Fiji,
September 19, 1894.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 26th of July last,‡ addressed to Governor Sir John Thurston. The Despatch arrived on the eve of his Excellency's departure for the Solomon Islands on business connected with the High Commission, and has therefore been handed to me for reply.

2. In the first place, I would beg leave to thank your Lordship for the opportunity which the transmission of Mr. Parr's letter affords of vindicating the administration of the Colony from such aspersions as those that have been cast upon it by Mr. Parr. It is, I may say, matter for surprise here that any person could be so influenced either by ignorance or malice as to distort circumstances in the manner, and to the extent, which Mr. Parr has accomplished. By those who are cognisant of the actual condition of affairs in the Colony, Mr. Parr's representations will be felt to be so utterly at variance with facts, and so apparently malicious, as to be undeserving of contradiction; but as it is possible that his utterances may, if allowed to pass unchallenged, be accepted by the uninformed as accurate, it is necessary to notice them at some length.

3. In replying to the several points raised in Mr. Parr's letter, it will be convenient to take up the statements *seriatim*. These are:—

- (1.) That the whole place (*i.e.*, Fiji Islands) is seething with rebellion.
- (2.) That the Governor with an armed force has shot down seven natives in the late outbreak.
- (3.) That the natives will not pay taxes because they cannot.
- (4.) That at the present time the natives are literally starving.
- (5.) That the cocoanut, a chief article of native use and food, is tambu'd nearly all the year round, and that the natives are unable to get oil for their daily requirements.
- (6.) That there have been cases of cannibalism recently, but all mention of them is suppressed simply because the Governor has gagged the local paper by appointing the editor Acting Attorney-General.
- (7.) That the Governor has his spies in the Post Office, and no hesitation is shown in opening or stopping any letters received from outside, or sent outside, the Colony.
- (8.) That the death-rate is something appalling.
- (9.) That the natives are dying by hundreds, chiefly from the insanitary condition in which they live.
- (10.) That the Governor, who is supposed to be the protector of the natives, is their greatest oppressor.

4. The first statement to be considered is *that the whole place is seething with rebellion*.

It has been reported to your Lordship in Despatches of dates June 25, July 2, and July 16 last,* that a disturbance occurred in the mountain district of Seaqaqa in the island of Vanua Levu. This matter was of a locally serious nature, but was practically confined to a portion of the Seaqaqa people, the whole of whom do not number more than 700 souls (including women and children). If the disturbance had not been checked it would doubtless have spread to the other mountaineers of Vanua Levu, the tribes being all more or less inter-related, but these mountaineers form only a small proportion of the population of the island. The trouble, however, originated out of the jealousies and animosities of a semi-savage community. That there is no disloyal feeling among the natives generally is evidenced by the fact that from every quarter the Governor was proffered assistance in putting down the disturbance. The island of Vanua Levu is divided into three provinces, viz.:—Macuata, Bua, and Cakaudrove. The Seaqaqa people, who are borderers, wished to leave the province of Macuata and join Cakaudrove. They were thus directing their efforts against Macuata, the Roko of which province showed great restraint and good judgment by taking no active measures against them till the arrival of the constabulary. When the constabulary did arrive, the main part of the attack was conducted by the ex-constables enrolled at Naduri, Macuata. The province of Bua, which was in no way concerned in the matter, despatched 400 men to assist in suppressing the disturbance. The services of these men were, however, not required. The people of the province of Cakaudrove arrested the ringleaders and all concerned in the disturbance when they were dispersed from Caumurimuri. In fact, messages had to be sent throughout the island of Vanua Levu to prevent the people from coming to assist in suppressing the disturbance. So far from "the whole place" "seething with rebellion," it might be affirmed that the whole island was ardently loyal. Nor can Mr. Parr's aspersion be applied to any other part of the group.

Your Lordship is aware that ever since the cession of the Colony some of the mountaineers of Viti Levu have from time to time similarly evinced a desire to revert to heathen practices; and it is on record that various small communities have had to be

* Nos. 8, 9, and 10.

dealt with on this account. But this tendency, while limited in area, does not originate in political considerations. It is mainly due to the existence among the people of some of the old heathen priests and their descendants who, under heathen *regime*, would have been priests. Although without office, these men were not without influence, doubtless greatest among isolated mountain communities, and favoured and fostered by reverence for the past—the principal religious instinct of the Fijian race. But even so, Mr. Parr's statement is made at a singularly inopportune time, for during the past two years there has been far less attempt at the perpetuation of these practices than at any previous time in the history of the Colony.

I have dwelt at length on this head, assuming that perhaps when Mr. Parr speaks of "rebellion" he possibly means disaffection. Mr. Parr, however, is a solicitor, and probably means what he says when he uses the word "rebellion." But in either case the statement must at best be regarded as a reckless misrepresentation of the position of affairs in the Colony, where a native population of 105,000 are governed by their own local authorities, in most cases without European aid, and where the only armed force consists of less than 100 native constables who, except in the incident above referred to, have seen no active service for the past 18 years.

5. Mr. Parr's second statement is *that the Governor with an armed force has shot down seven natives in the late outbreak*, and he adds later on: *the first outbreak has occurred through their being goaded to retaliate and he shot down seven; at the next outbreak, he will probably have to shoot down 70; but as long as the present system of slavery exists—it is nothing else—the natives will always be in a state of rebellion.*

In reply to this, it should be sufficient to say that the natives are not in a state of rebellion, and that no system of slavery exists in the Colony, and that neither in his premises nor in his conclusion therefrom is Mr. Parr justified by fact; but Mr. Parr's utterances are hardly of such a coherent character as to permit of being reasoned from.

From the date of Mr. Parr's letter, it is evident that he could have heard nothing more of the facts of the case than were contained in the newspaper telegram to which he refers, and the contents of his letter make it equally certain that he has drawn on a vivid imagination to furnish the outline of his complaint. Mr. Parr may perhaps be permitted to exercise his faculties in this direction for his private satisfaction, but I respectfully submit that when he does so for your Lordship's information he assumes a graver responsibility than perhaps he appreciates. The circumstances under which the recent outbreak occurred are already known to your Lordship, together with the measures taken for its suppression. In the light of actual facts, Mr. Parr's statement that the people were "goaded to retaliate" will be seen to be utterly unfounded.

6. Mr. Parr's third statement is, *That the natives will not pay taxes because they cannot.* In reply to this, it should be sufficient to affirm that they can and will pay their taxes, and that they have always done so in the past and continue to do so.

The following statement shows in respect of each of the past five years: (1.) The assessment. (2.) The total payments made by the natives. (3.) The amount paid to public account as native taxes. (4.) The amount refunded to the natives after satisfying the assessment:

Year.	Assessment.	Total payment made by the Natives.	Amount paid to Public Account as Native Taxes.	Refund.
1889	£ 18,980	£ 22,836	£ 17,184	£ 5,152
1890	19,740	25,658	20,770	4,388
1891	19,740	30,645	20,914	9,231
1892	19,740	28,448	18,256	9,692
1893	19,740	27,202	17,436	9,327

It will thus be seen that during the past five years the natives have paid in excess of their assessed taxes a sum of 37,791*l.* which has been refunded to them. It will further be seen that the amount of refund earned during each of the past three years of the five is very nearly equal to one half of the assessment. This refund, as well as the tax contribution, would have been greater during the year 1893 but for the fact that the gale of December 1892 severely injured the cocoa-nut trees in two provinces (Bua and Macuata) and prevented them from contributing their assessment, but the deficiency will probably be made good during the present year.

Mr. Parr's remarks may, however, be specially directed towards the condition of things prevailing in the year now current. I therefore give hereunder a statement of the amount of native taxes received during the first eight months of the past six years (including the present year), viz. :—

Value of native taxes received during the first eight months of the year—

	£	s.	d.
1889	3,430	4	5
1890	6,868	7	1
1891	11,450	11	9
1892	8,160	2	0
1893	6,142	19	4
1894	9,524	7	1

The foregoing statement will indicate that the contribution of taxes is as far advanced during the current year as in any other.

I may add that during the 12 months ending the 31st ultimo, the natives spent, through the Native Office, a sum of 4,441*l.* on the purchase and repair of boats and vessels, and 535*l.* in the repurchase of land from Europeans; and it is only within the past few months that the two provinces (Cakaudrove and Ba) have voted a sum of 700*l.* for the building and equipment of provincial hospitals. I think the foregoing observations sufficient to refute Mr. Parr's statement that "the natives will not pay taxes because they cannot," and to show that that statement is without the semblance of a foundation in fact.

7. Mr. Parr's fourth statment is *that at the present time they (the natives) are literally starving, although the islands are so prolific*, and he adds, "*One of the noblest savage races on the face of the earth is now actually starving for want of food.*"

It is not easy to prove a negative, and beyond an hysterical assertion Mr. Parr makes no attempt to indicate that his opinion is based on any fact or statement that has come before him. Under these circumstances, I can only give your Lordship my assurance that to the best of my knowledge and belief no native is either starving or even suffering from want of food. The present year has been a very favourable one for all manner of produce, and I believe that food is as plentiful as it ever has been in the Colony.

With reference to the condition of affairs in the lately disturbed district, I observe it incidentally stated by Sir John Thurston at paragraph 22 of his Despatch of June 25,* that "the banks of the river seemed very fertile and large quantities of food were seen in every direction." At each half-yearly council the Buli of every district is questioned regarding the food supplies of his people; and I am informed by the Provincial Department that no complaint of scarcity of food has been heard at any of the provincial councils this year.

The price of yams, I may say, has been as low as 3*l.* 5*s.* per ton, which would not occur if native food were scarce.

The only occasion on which there could have been any scarcity of food in recent years was after the gale of December 1892. A circular was on that occasion issued offering monetary assistance to any community that might be in want of it, in the shape of an advance to be charged against future tax refunds, but in every case the offer was declined. If after the plantations had been swept by hurricane and flooded by water the native resources were not over-strained to find food, it is absurd to suppose that any scarcity should exist in such a specially favourable season as the past one has been.

8. Mr. Parr's fifth statement is, *That the cocoanut, one of the chief articles of use and food of the natives, is tambu'd nearly all the year round and they are unable to get oil for their daily requirements.*

Some years ago, complaint, was made by the chairman of a local chamber of commerce that the natives "wasted their nuts by drinking them while young," instead of allowing them to mature and be manufactured into copra. That was, in those days, a charge made against the native administration, but the ground appears now to have changed. The habits of the natives have, however, it is believed, undergone no alteration in regard to their use of the cocoanut. But, in the first place, I may mention that the cocoanut is not, and never has been, one of the chief articles of food among the natives; and, in the second place, I would observe that the tambu does not emanate from the Government but from the people themselves in their village, district, and provincial, councils; and, in the third place, I would beg leave to say that I do not believe that there is, or has been, any inability on the part of the people to procure their daily requirements of oil.

It has, however, been part of the policy of the Government to induce the natives to relax their tambus on the cocoanut crop, and to cause the nut to be used for food as much as possible.

On the 5th of December 1892, the following circular was issued to the Rokos from the Provincial Office :—

“ Sir,

I write this to you with regard to the cocoanuts which are tambu'd every year. It is thought necessary that when this is done some trees should be set apart for the use of women and small children. His Excellency, therefore, directs that you will consult your Bulis, and that the matter be brought before the Provincial Council next year.”

In “ Na Mata ” (the native newspaper) of January 1893 the following order was issued :—

“ This notice is for general information, with reference to the tambu being put on cocoanuts for tax purposes each year. It is thought to be a good thing that both women and young children should make use of the nuts.

“ The governor therefore thinks that a certain number of trees should be set apart for their use. The Roko and Bulis will therefore consider this and discuss it in the Provincial Councils this year.”

Again on the 28th of March 1893 the following circular was issued to native Chiefs by the Assistant Native Commissioner :—

“ Sir,

I address this letter to you regarding cocoanuts which are annually tambu'd for tax purposes. His Excellency has directed me to write and say that the tambu shall not refer to young nuts for food. These should not be tambu'd from being used as food.”

After the issue of these circulars, it was ascertained that in at least two of the provinces which principally rely on cocoanuts wherewith to pay their assessment the order has been anticipated inasmuch as it had always been customary to allow nuts to be used in the manner suggested, the tambu being principally directed against the sale of nuts before the completion of the annual assessment of taxes.

In this connexion, the commissioners appointed to inquire into the decrease of the native population have recommended : “ (1.) That the tambu on cocoanuts should never be held to prevent the use of the cocoanut for food in moderation or for use by mothers and young children, and it should be removed as soon as each village has completed its assessment of taxes instead of being kept in force, as frequently happens, until the district, or, in some instances, the province, has paid the full amount. (2.) That, to provide for the use of cocoanuts in the future, the Government should compel the natives to plant trees annually and to attend to the subsequent weeding of them.”

In consequence of the further consideration of this matter, a circular was issued to the Roko Tuis of provinces on the 22nd of August, which is in the following terms :—

“ Sir, August 22, 1894.

You have read my two letters that I wrote to you, the first on the 5th of December 1892 and the second on the 28th of March 1893, with reference to the tambu on cocoanuts, and what is also printed in the January ‘ Na Mata ’ of 1893. The Governor has directed me to inform you that he has decided that when any village has completed its sub-assessment of native taxes the people of such village shall be free to use as they please the cocoanuts, maize, yams, or other produce remaining. The English or native inspector of taxes, after the Buli has approved, will decide when each village has completed its assessment ; they will not wait for the other villages in the district or province to complete their sub-assessment in order to deal as they please with their remaining tax produce.”

From these particulars your Lordship will see that, so far as any hardship has existed—which does not lie in the direction indicated by Mr. Parr, but in the providing of a suitable food for suckling mothers and infants—the Government has been alive to the necessities of the case, and has taken steps to procure the people as full liberty as they will allow themselves in this matter.

9. Mr. Parr's sixth charge is to the effect *that there have been cases of cannibalism recently, but all mention of them is suppressed, simply because the Governor has gagged the local paper by appointing the editor Acting Attorney-General.*

The only case of cannibalism that has occurred in the Colony during the past 18 years was that reported in Sir John Thurston's Despatch of 25th June,* as having taken place during the recent disturbance at Seaqaga. Full particulars of that case were also published in the “ Fiji Times ” of the 27th of June last, a copy of which I have the

honour to enclose herewith.* Seeing that nothing was suppressed, it is perhaps unnecessary to show that the editor was not bribed to suppress it; but I may mention that, so far from having been appointed by Governor Sir John Thurston for the purpose alleged, Mr. P. S. Solomon, Q.C., the gentleman referred to, who is the editor of the "Fiji Times," was appointed as long ago as August 1880 by Governor Sir Arthur Gordon to act as Attorney-General, on which occasion he held the post for nearly two years, a circumstance of which Mr. Parr is perfectly cognisant; that, as the leading barrister in the Colony, he was again called upon to fill the vacant post in February 1889, on the assumption by myself of the Chief Justiceship on the transference of Mr. (now Sir) Fielding Clarke to Hong Kong, relinquishing it on the arrival of Mr. Udal in December of the same year; and that last year he occupied (with the approval of the Governor) the office of Attorney-General for two months while Mr. Udal was absent on vacation leave. But there are two local newspapers in the Colony, one being published at Levuka. It appears, moreover, from evidence furnished by Mr. Parr's letter, that he is a correspondent of the latter publication. Why did not this paper give voice to the alleged acts of cannibalism? It is surely not intended to suggest that any of its editors have also been suborned by an appointment. The fact is that, so far as alleged cannibalism is concerned, Mr. Parr's statement is the first hint received concerning any act of that nature; and I have no hesitation in regarding it as a fanciful fabrication.

10. Mr. Parr's charge with reference to the Post Office administration is to the following effect:—

"The Governor also has his spies in the Post Office, and no hesitation is shown in opening or stopping any letters received from outside, or sent outside, the Colony. A settler called on me yesterday, who just came from Fiji, and he brought one of my own envelopes with the Postmaster's signature on it saying it was opened by mistake. A number of letters from Fiji I have never received, and the Governor boasts of knowing the private affairs of everyone in the Colony. But he has always had control of the correspondence in Fiji, his brother being postmaster when Sir Arthur Gordon was Governor and he was Colonial Secretary. The successor to his brother told me that he found a great number of letters addressed to Fiji colonists which had been opened and hidden away at the top of an old cupboard in the Post Office."

As "the successor to his brother" (Mr. Leslie Walker) has held the office of Colonial Postmaster for the past 14 years, it seems very late in the day to bring a charge against Mr. Harry Thurston, who left the service 15 years ago and has been dead for about 7 years. I therefore do not notice the charge against that gentleman.

Regarding Mr. Parr's more specific complaint, that a letter sent by him to the Colony was opened by the Colonial Postmaster, I have caused inquiry to be made, and am furnished by that officer with the following statement:—"The letter complained of by Mr. Parr was accidentally cut open by myself. On arrival of the heavy mails, which generally takes place in the early morning, I have my breakfast sent to office, and while partaking of same, to save time during the pressure of work, I open with paper knife the pile of letters, official and otherwise, which I find on my desk addressed to myself. The letter in question by some oversight became mixed with the others, and not looking at the address before cutting I opened it. On discovering the mistake, I immediately enclosed it in an official envelope and sent it on to its destination by the same steamer, viz., to the editor of the Levuka newspaper. I wrote on the envelope an explanation of the accident, but he evidently declined to accept it, as a most abusive attack on this department appeared in the next issue of his paper. This is an accident which may occur to the most careful. As an illustration, I enclose an envelope clearly addressed to 'The Colonial Postmaster,' which you will observe was opened by Mr. Vaughan 'in mistake.' There are also other occasions when letters addressed to myself have been opened 'in error,' but I have accepted the explanation written on the envelope in good faith."

I have no doubt that the account of the circumstance as detailed by Mr. Walker is absolutely accurate.

In reply to the statement that the Governor has his spies in the Post Office and that no hesitation is shown in opening or stopping any letters received from outside or sent outside, Mr. Walker replies:—

"During the 14 years I have been in office I can safely say to the best of my knowledge no spies have entered the office, and I have not known a single instance where letters have been 'opened' or 'stopped' from going to their destination." This also I thoroughly believe.

With Mr. Parr's statement that a number of letters from Fiji have never reached him, and that the Governor boasts of knowing all about the private affairs of everyone in the Colony, I cannot deal further than to declare that I do not believe what he says or what his correspondents have told him. It is absurd to suppose that the Governor would stoop to act as Mr. Parr has suggested, and more than absurd to imagine that, having done so, he would boast of it.

I have every reason to believe that the postal service of this Colony is as free from dishonesty or malpractice of this nature as any service in the Empire.

11. Mr. Parr next addresses himself to the problem of the native decrease, and states :—

"The death-rate is something appalling. From letters received by hand, it is stated to be twenty times as much as the birth-rate; but the Wesleyan missionaries will tell you it is more than double as much."

It is difficult to say whether Mr. Parr means that the Wesleyan missionaries will say that the death-rate is more than twice as great as the birth-rate, or that it is more than 40 times as great; but, as Mr. Parr is entitled to the benefit of the doubt, I shall assume that he means to assert that the Wesleyan missionaries will state that the death-rate is more than twice as great as the birth-rate.

The carefully prepared statistics of the Native Department indicate that for the year 1893 the births numbered 4,111 and the deaths 5,190, the respective rates being 39 and 49 per mille.

The death-rate is higher than the birth-rate by about one-fourth, an incident due entirely to the prevalence of whooping cough and epidemic influenza, both of them diseases with which a native finds it difficult to deal. But to say that it is "twice as high as the birth-rate" is only a shade less ridiculous than to say that it is 20 times as great. These figures, however, would doubtless be disputed by Mr. Parr, a probability which necessitates my turning to the statistics supplied by the ecclesiastical body whose name he cites.

I there find, on the 31st of December 1892, the Wesleyan Mission returned the number of their adherents at 99,835; at 31st December 1893, the number was returned at 98,959; decrease during the year, 876. The number of Roman Catholic adherents is returned at "about 10,205" and "9,700" respectively, or a decrease of 495 (but the latter body does not make a speciality of statistics). The total decrease of church adherents for the year is thus 1,371, as against a decrease of 1,079 shown by the native statistics. Assuming therefore that each unit of decrease in the church membership represents a native death unsupplied by a birth, the excess of deaths over births as indicated by the mission statistics would be only one-third, instead of being "more than double as much" or "twenty times as much," as affirmed by Mr. Parr.

But I am not even prepared to admit that the returned decrease in church membership represents of late the decrease of population. The attitude of the ecclesiastical statisticians towards the statistics of native population has taken tone, to some extent, from certain remarks made on the census of 1891 in the Annual Report on the Blue Book of that year. The tenor of these remarks was as follows :—

"In 1881, when the native population was returned at 114,748 (the total population of the Colony being 127,486), the Ecclesiastical returns showed the following number of church adherents, viz. :—

Wesleyan Mission	102,736
Roman Catholic Mission	9,000
Total	111,736

being about 3,000 less than the enumerated native population.

"In 1891, when the enumerated native population amounts to 105,800 (the total population being 121,180), the Ecclesiastical returns show the adherents of the two missions to be as follows :—

Wesleyan Mission	103,829
Roman Catholic Mission	10,402
Total	114,231

"These numbers have increased, notwithstanding the apparent decrease of population. But the Ecclesiastical returns embrace a portion of the non-Fijian population of the

Colony. Let it be conceded that the following proportions of the non-Fijian population are so included :—

Europeans (say)	1,000
Half-castes (all)	1,076
Indians (say)	100
Polynesians (say)	600
Rotumans (all)	2,219
Others (all)	314

Total 5,309

“The foregoing allowance is an ample one, and if the number thus obtained be deducted from the total number of Wesleyan and Roman Catholic adherents in the Colony, the number of native Fijian Church adherents should be arrived at :—

The total number of Church adherents is	114,231
Deduct the non-Fijian element	5,309

Number of Fijian adherents 108,922

“This number is in excess of the Fijian population returned at the census by 3,122.

“Hence it would appear that either the Ecclesiastical returns or the Census returns are in error to at least that extent.”

It has nowhere been stated that the Ecclesiastical returns were found to be in error, but the appearance of the foregoing statement has been followed by a sudden drop in the returned number of church adherents. Thus the figures supplied in respect of each of the past four years have been :—

	Wesleyan.	Roman Catholic.	Total.
Number of adherents at 31st December, 1890	103,829	10,402	114,231
Do. do. 1891	101,355	About 10,500	111,855
Do. do. 1892	99,835	About 10,205	110,040
Do. do. 1893	98,959	9,700	108,659

With all respect to the veracity of the source whence these returns emanate, it appears to me, from the internal evidence they afford, that the decrease in numbers which they indicate may be better accounted for on the hypothesis that a purging of the rolls has taken place than on the ground that the responsibility for the diminution lies with the death-rate.

But Mr. Parr would probably contend that his statement has reference to the current year. Lest that should be so, I have obtained from the provincial office two returns, which I have the honour to enclose (Enclosure 1). The first is a return of births, deaths, and marriages for the quarter ending 31st March 1894, and shows that during that period the births numbered 837, and deaths, 1,123, showing a decrease of 286. In the second quarter the returns indicate 673 births, and 837 deaths, or a decrease of 164. It will be observed that for the first quarter the return has not been received from one of the provinces, and that in the second quarter five returns have not yet arrived, but no exceptional mortality has occurred in the provinces concerned. The decrease during the present year is due to the same causes as operated during the year 1893, namely the prevalence of whooping-cough and epidemic influenza. The presence of these epidemics is touched upon by the Chiefs in the fourth paragraph of their letter to Her Majesty (Enclosure No. 6).^{*} The occurrence of these epidemics is to be regretted, but cannot be controlled.

During the year 1893, a sum of 619*l.* 3*s.* 6*d.* was expended by the Treasury on the maintenance of quarantine to keep out measles, a disease which was prevalent in epidemic form in the Australian Colonies and New Zealand, as well as in the neighbouring Pacific Islands, and the measures taken were successful, although the disease was three times introduced into the Colony. Whooping-cough and influenza are diseases, however, against which no practical system of quarantine can avail, and the former is by far the most fatal of the recurring epidemics : but the medical staff of the Colony has done good service in rendering assistance to the afflicted.

The treatment of natives afflicted with these epidemics is a most difficult matter, as they are slow to adopt European methods of prevention and cure, while they really require

^{*} Not printed.

more careful treatment and nursing than Europeans do for these diseases. The whole subject has been under the consideration of the Commission appointed to inquire into the decrease of the native population, whose report will shortly be issued.

Meanwhile, it can be said that the mortality has at no time in the past year exceeded the birth rate by more than about one-third, notwithstanding the exaggerated estimates of Mr. Parr.

12. Mr. Parr further states : "*That they are dying by hundreds, chiefly from the insanitary condition in which they live.*"

This statement comes immediately after one to the effect that the people "are now actually starving for want of food." If Mr. Parr really believed this, he must conceive that the sanitary condition of the people is bad indeed when the mortality arising from it throws in the shade that which should be brought about by actual starvation. Both statements, however, I am glad to say, are equally untrue. It is, of course, not to be expected that Fijians naturally appreciate, or will readily adopt, measures indicated by sanitary science as beneficial. It is only within the present century that their efficacy has come to be acknowledged in Europe. But the necessity for sanitary reform is by no means lost sight of. The matter is one that has been under the consideration of the Commissioners lately appointed to inquire into the decrease of the native population, and I beg to enclose herewith, for your Lordship's information, and as indicating the condition of native sanitary affairs, the portion of the Commissioner's report that deals with that subject (the complete report will be transmitted as soon as it is received from the press) (Enclosure 2). While there is no doubt that lack of sanitation is an unfavourable factor in native life, there is not an atom of evidence to indicate that it is more so at present than at any previous time. In fact, I have no doubt that by reason of constant advice and admonition accorded to them at native councils, and through the columns of the native newspaper "*Na Mata*," the natives are now more alive than ever they were before to the dangers of insanitation. One result of this I have already mentioned in paragraph 6, namely; the provision by the provinces of Cakudrove and Ba, of some 700*l.* for the building and equipment of provincial hospitals. The statements made by Mr. Parr, that the people are dying by hundreds from this (or from any other) cause, is a mere rhetorical effort, without foundation or excuse.

13. There now remains to be considered the climax up to which the foregoing statements appear to lead, namely : *that the Governor who is supposed to be the protector of the natives, is their greatest oppressor.*

If the charges made by Mr. Parr's letter contained an atom of truth, it would be hard to imagine how the Governor could be "supposed to be their protector."

His Excellency's administration stands accused of producing universal rebellion, bloodshed, poverty, starvation, tyranny, cannibalism, subornation of the press, malfeasance in the Post Office, filth, disease, and death. It is somewhat remarkable that these salient features of the administration should have been discovered by a gentleman some twelve thousand miles away from the scene of action whilst his description could not be recognised by anyone on the spot; but the reason for Mr. Parr's action is made patent by the gentleman himself, as follows :—"You keep a man there as Governor for a year and a half longer than the usual time. A Colonial Office rule was broken by appointing him as he was himself a Colonist, and he has as bad a record as any man in such a position ever had. I know his career for the last 35 years, which I shall be glad to tell you." Mr. Parr's object in making these statements is plainly to discredit the Governor, Sir John Thurston. Sir John Thurston's career for the past thirty-five years is better known to Her Majesty's Government than it can possibly be to Mr. Parr: although, judging from the specimen of Mr. Parr's work now under consideration, I have no doubt that he could evolve some surprising narrative.

Sir John Thurston's general reputation, however, may be safely left to speak for itself. But as regards his Excellency's conduct as Governor of this Colony, I would remind your Lordship that, on its being announced that he had been appointed for a second term of office, the Legislative Council unanimously passed a resolution placing on record its satisfaction thereat, and expressing their appreciation of the thorough efficiency of his Excellency's administration, and their conviction that the best interests of the Colony have been served by the extension of his Excellency's administration for a further term. A copy of that resolution I have now the honour to forward herewith,* together with an excerpt from the Fiji Times of 15th August which contains an account of the addresses made by Honourable Members of the Legislative Council when the resolution was proposed.*

To this Mr. Parr would probably reply that it is easy to please the European Colonists and their representatives in Council at the expense of the native population; but I think

* Not printed.

your Lordship is aware that the settled policy of the Government, which Sir John Thurston has done perhaps more than any other man to mould, secures for the native population the fullest possible amount of liberty and consideration, and safeguards them from European colonists. This aspect of the native policy has indeed led to all the bitter opposition which the Colonial Government has at any time encountered.

But as to the question whether Sir John Thurston has been the protector or the oppressor of the native population, it is fitting that the natives themselves should be allowed to speak. When the Bose Vaka Turaga, or Annual Council of Chiefs, was held in June last, it was intimated to the Council that Sir John Thurston's term of office as Governor had been extended for a further period of four years. This produced an unanimous expression of hope that Governor Sir John Thurston would not at any time be removed from Fiji, and was further adverted to in the Chiefs' letter to Her Majesty the Queen, of which I beg leave also to enclose a copy,* where the Chiefs thank Her Majesty for continuing Sir John Thurston in office, and express their relief at the decision that he will not be removed at the expiry of his term of office.

14. In conclusion, I respectfully submit that the foregoing observations fully reply to the various charges, statements, and inuendoes contained in Mr. Parr's communication. This communication Mr. Parr has been pleased to dignify with the name of a "warning"; but, inasmuch as it proceeds from a source either ignorant of facts or incapable of appreciating them, it can have no admonitory value. It pretends to be written in the interests of the natives of the Colony by one who has their welfare warmly at heart; but it really is a personal attack on Governor Sir John Thurston, whose administration it attempts to discredit; and it is with a sense of pain that I have had to reply to a writer who, in prosecuting his unworthy intention, has ranged from exaggeration to distortion of fact, and from distortion to pure fabrication.

I have, &c.

H. S. BERKELEY.

P.S.—Since writing the above Despatch, I have received your Lordship's Despatch of the 8th of August,† forwarding a further letter from Mr. Parr. I think the information supplied in the above despatch will answer all Mr. Parr's charges and allegations.

H. S. BERKELEY.

* Not printed.

† No. 7.

Enclosure 1 in No. 20.

STATISTICS OF BIRTHS AND DEATHS OF THE NATIVE POPULATION for the first Two Quarters of the Year 1894 (so far as Returns have been received).
Births, Marriages, and Deaths during 1st Quarter of 1894 (January to March).

Provinces.	Marriages.			Births.			Still Births.		Deaths under One Month.		Deaths under One Year.		Deaths under Five Years.		Youths.		Middle-aged.		Aged.		Total Deaths.			Remarks.
	M.	F.	Total.	M.	F.	Total.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	Total.	
Ba	36	34	70	1	—	1	1	1	14	13	12	5	7	1	2	11	13	4	49	35	84	14	Lau return not yet to hand.	
Yasawa	7	13	22	—	—	1	—	4	6	5	—	3	1	2	4	6	6	21	17	38	16			
Bua	11	16	40	—	—	2	6	4	10	2	5	2	3	9	9	4	10	23	43	66	26			
Cakaudrove	21	57	98	10	5	7	8	15	13	—	1	6	7	11	10	12	11	51	50	101	3			
Colo, East	16	26	61	1	3	2	—	16	14	4	14	4	4	8	13	7	15	54	54	108	47			
North	—	2	6	8	—	—	1	—	—	—	3	4	5	2	—	—	—	8	7	15	7			
West	7	22	29	51	4	2	2	4	4	7	3	2	5	3	4	5	14	32	33	65	14			
Kadavu	12	32	29	61	4	1	1	—	7	6	7	11	5	6	8	4	7	4	35	31	66	5		
Lau	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Lomaiviti	14	40	37	77	—	6	2	4	5	6	10	6	3	8	5	5	9	4	34	33	67	10		
Macuata	13	13	12	25	2	6	1	—	1	1	4	3	5	6	5	10	7	8	23	28	51	26		
Nadroqa	16	21	19	40	1	2	5	2	1	2	5	7	4	7	4	6	4	3	23	27	50	10		
Naitasiri	3	12	13	25	—	1	—	2	1	—	3	7	1	2	1	4	1	1	7	16	23	2		
Namoni	1	4	9	13	—	—	—	—	—	—	2	—	—	—	—	—	1	—	3	—	3	10		
Ra	33	44	35	79	6	4	14	12	8	11	13	8	11	8	17	15	17	21	80	75	155	76		
Rewa	7	23	20	43	2	—	4	5	3	—	7	9	3	2	1	3	2	6	20	25	45	2		
Serua	6	10	8	18	1	1	—	2	—	—	4	7	5	—	3	5	5	3	17	17	34	16		
Tailevu	45	54	52	106	—	3	4	4	6	15	24	21	7	10	10	16	15	20	66	86	152	46		
	228	425	412	837	32	34	46	51	89	104	108	110	76	74	95	114	132	124	546	577	1,123	22	808	i.e., a decrease of 266.

STATISTICS OF BIRTHS AND DEATHS, &c.—continued.
Births, Marriages, and Deaths during 2nd Quarter of 1894 (April to June).

Province.	Marriages.			Births.			Still Births.			Deaths under One Month.			Deaths under One Year.			Deaths under Five Years.			Youths.			Middle Age.			Aged.			Total.			Increase.	Decrease.	Remarks.			
	M.			F.			M.			F.			M.			F.			M.			F.			M.			F.						M.	F.	Total.
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.									
Ba	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Return not yet to hand.					
Yasawa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	do.					
Bua	27	23	50	2	7	13	8	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	do.					
Cakaudrove	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	do.					
Colo, East	11	24	48	2	1	1	4	12	17	8	10	5	3	17	15	7	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—					
Colo, North	4	9	2	11	1	—	—	—	1	1	2	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—					
Colo, West	5	26	22	48	—	4	2	6	11	8	6	5	2	2	5	10	12	33	38	71	—	—	—	—	—	—	—	—	—	—	—					
Kadavu	18	45	51	96	4	2	3	—	5	9	25	26	7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—					
Lau	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—					
Lomaiviti	10	46	35	81	4	5	8	8	12	11	9	5	3	5	8	4	4	41	44	85	—	—	—	—	—	—	—	—	—	—	—	—				
Macuata	9	16	19	35	5	2	3	2	1	—	7	9	2	2	15	6	7	35	26	61	—	—	—	—	—	—	—	—	—	—	—	—				
Nadroga	8	22	19	41	—	—	4	—	4	7	4	1	2	3	4	2	7	7	25	20	45	—	—	—	—	—	—	—	—	—	—	—				
Naitasiri	14	19	13	32	—	—	1	—	2	4	3	3	2	1	6	3	2	16	14	30	—	—	—	—	—	—	—	—	—	—	—	—				
Namosi	1	11	15	26	—	—	—	—	—	—	10	4	—	—	—	—	—	14	9	23	—	—	—	—	—	—	—	—	—	—	—	—				
Ra	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—				
Reva	8	30	20	50	1	2	2	2	1	3	6	3	2	—	—	—	—	33	21	54	—	—	—	—	—	—	—	—	—	—	—	—				
Serua	6	9	13	22	—	—	—	—	—	—	12	5	2	—	—	—	—	23	7	30	—	—	—	—	—	—	—	—	—	—	—	—				
Tailevu	38	74	57	131	1	1	9	7	11	9	23	12	11	5	17	18	16	87	70	157	—	—	—	—	—	—	—	—	—	—	—	—				
Total	159	354	319	673	20	24	46	37	61	73	117	92	44	22	91	71	90	93	449	388	837	13	177									i.e., a decrease of 164.				

Enclosure 2 in No. 20.

EXTRACT from the REPORT of the COMMISSION of INQUIRY into the DECREASE of the
NATIVE POPULATION.

XII.—INSANITARY DWELLINGS AND DOMESTIC HABITS.

Digest of Replies.

259. This is a subject to which prominence is very naturally given by writers upon the decrease of the native population. The insanitary conditions of native dwellings are described by 33 writers as regards both the situation of the villages and the domestic habits of the people.

It is pointed out—

- (1.) That a large number of the villages which were in former times perched upon commanding and naturally drained sites on hill-tops, for purposes of defence, have now been moved down to mangrove swamps or low-lying land in order to be nearer to the water and the plantations, or with a view to supporting a claim to land by occupation. The village of Namena is cited as an instance of a removal from a good to a bad site.
- (2.) That in the event of the appearance of typhoid or malarial fever, the insanitary condition of low-lying villages would be severely felt; and that already in many of them no children are reared.
- (3.) That in most of the villages situated on flat land there is no surface drainage, in consequence of which the houses are surrounded by pools of stagnant water.
- (4.) That the Government has not compelled the removal to higher ground of the villages situated in swamps.
- (5.) That although many villages have been moved under the permission of the Government, the best sites available have not generally been chosen.
- (6.) That while natives may be less liable than Europeans to suffer injury from living on swampy ground they do not enjoy immunity from such evils.

On the other hand, one writer, while admitting the insanitary condition of many villages, points out, with truth, that the inhabitants of villages placed on healthy sites, with good running water and natural drainage, have decreased at the same rate as those built on swampy ground, and cites the villages of Nukubalavu, Maicekoro and Naidi in Nasavusavu as examples. One correspondent, writing of the Lau Province, declares that, although the sites of many villages are undoubtedly insanitary, the decrease is not to be attributed to this cause.

260. To turn from the more general to the particular evils that are said to proceed from lack of sanitation, we are told—

- (1.) That most of the old villages are virtually graveyards.
- (2.) That the old town moats, which were formerly kept free from weeds, provided in some degree for the surface drainage of the village, but that they are now choked with weeds and undergrowth and collect all the filth of the town.
- (3.) That the paths and ditches are only weeded and cleansed when the visit of the magistrate or some other officer of Government is expected.
- (4.) That the filthy state of the villages pollutes the drinking water.

It is also pointed out that the keeping of pigs in native villages contributes to the insanitary conditions. "The pigs," it is declared by one writer, "are invariably diseased," and thus cause disease when eaten as well as by their filthy habits when alive. They are the general scavengers, and, in common with dogs, attract flies that spread infection, while their proximity to the sleeping-places of the people accounts for the prevalence of internal parasites among young children. It is pointed out that they are not used as an article of diet, but are only eaten at funeral feasts or upon occasions of ceremony, when immoderate consumption induces dysentery, and that their preservation is therefore undesirable. For these reasons, goats, it is thought, would be preferable as domestic animals.

261. The unhealthy condition of the native houses is naturally dwelt on at considerable length.

It is stated—

- (1.) That the Chiefs' houses only are raised upon earth foundations, and that the people generally are afraid to raise their houses much above the ground lest they provoke the interference of the Chiefs.

- (2.) That, as a consequence, in wet weather the foundations of the people's houses become soaked in water.
- (3.) That even when the foundation of the house is raised above the ground the soil is merely scooped out of the surrounding earth, leaving pits about the walls in which stagnant surface water and filth collect.
- (4.) That the houses themselves are too low, and are ill-ventilated at night, owing to the habit of closing all the doors for the purpose of promoting warmth and keeping out mosquitoes.
- (5.) That the houses are often leaky, and that, instead of repairing them, the inmates resort to every kind of device to keep the rain off the bedplace, so that the middle of the house is often a pool of water.

Upon one point, however, there is a difference of opinion. While one writer declares that the houses are overcrowded, and that this evil has increased since Cession, another states that in this respect there has been a vast improvement under settled government, for that, whereas each family now generally possesses a house of its own, three, four, and even five, married couples used to live in the same house in former times.

It is further stated that the bodies of still-born children are kept for several days in the house from the superstition that burial will retard the mother's recovery. This last statement we have been unable to verify.

The effect of these conditions is especially marked upon children. They are born, we are told, by great fires. Their first days of life are spent in close, hot, smoky houses, where they breathe air vitiated by adults, and sleep in close, thick mosquito-screens upon half-rotten mats, inhaling the effluvia of the rotting grass beneath.

It is pointed out by the Chief Medical Officer that, although Fiji has been so far free from paludal fevers, the prevalence of dysentery and diarrhoea, so fatal to children, may be due to malarial poison resulting from their living and sleeping in such close proximity to the damp soil.

262. The general remedy suggested is the better observance of the sanitary regulations too often ignored by the native officers charged with their administration. One writer expresses the opinion that no improvement can be hoped for unless there is regular inspection by European officers, and he is supported by the official opinion, expressed in 1888, that sanitary reform can be better effected by regular inspection by the Governor than by the enactment of regulations. On the other hand, we have the opinion of a resident of wide experience of the natives, both as a public officer and as a planter, that direct orders from an European officer only disturb and irritate, and that reform is better effected through the medium of the Village Council.

The most general suggestion is that the villages situated on unhealthy sites should be systematically removed to sites chosen by European officers, and that the opportunity should be seized for concentrating the villages into settlements sufficiently accessible to permit of regular medical inspection. The houses of these villages should, we are told, be placed at greater intervals; pigs should be rigidly excluded from the interior of the village by a fence; and proper latrines should be erected for the use of every *matagali*.

There are various suggestions regarding the improvement of the character of the houses themselves. They should be built on high *yavu*, or foundations, faced with pebbles as is the custom in Colo; the walls should be constructed of double reeds, instead of grass, so as to secure ventilation; the inmates should be compelled to sleep on *vata* or raised bedplaces; and wherever practicable the house itself should be built on piles.

Several writers see no hope of improvement in the present generation, but trust to the education of the children in sanitary principles as a means of improving the sanitation.

One of these thinks that the schools themselves are at fault, and advocates the Government inspection of all the native schools, and the granting of the power of corporal punishment to all the native teachers. Others think that the schools should be made the means of systematic instruction in sanitary principles and the laws of health. "The people should," says another, "be given technical instruction in well-sinking and the conservation of water." It is also suggested that the surest way of bringing such teaching home to the people would be by the institution of a sanitary mission conducted by European women, a scheme which will be discussed in another part of this Report.

Minute by the Commission.

263. The science of sanitation is scarcely a century old. Less than two centuries ago the mortality in England, especially in the towns, was enormous. In the year 1801 the population of Great Britain had reached only ten and a-half millions and the subsequent rapid increase dates from the time when the authorities awoke to the necessity of meeting

the attacks of disease by improved cleanliness and attention to sanitation. While the theory of germinal infection was still imperfectly understood, experience had shown that many lives could be saved by improved drainage, avoidance of damp, and attention to the sources of water supply. These facts give hope that improvement in the sanitation of the villages and dwellings of the Fijians will enable them to combat the epidemics and constitutional diseases that are proving so destructive to them.

264. The natives have no idea of the necessity of drainage for sanitary purposes, and cannot appreciate European teaching on the subject. They do not believe that damp or insanitary surroundings are factors in causing disease. When, for instance, in the course of our examination of native witnesses, we consulted Ratu Marika on this subject, he cited, in support of native opinion, the fact that war parties in the old times were in the habit of spending nights in the open air in all weathers, without being hurt by the exposure; and he even asserted that the populations of villages surrounded by miles of mangrove-swamp are generally subject to a lower mortality than those living on drier and more elevated sites.

It will be difficult to eradicate these prejudices from the Fijian mind; but as village hygiene is one of the points that the most enlightened of the native practitioners trained at the Colonial Hospital have seized upon, there is hope that by their influence some change for the better may be gradually brought about; although they have much to contend with in the jealousy of the Chiefs.

265. The climate of Fiji is damp, the rainfall being on an average about 110 inches per annum—in some parts less and in others more. The moistness of a climate is a factor that undoubtedly affects the calibre, stamina, and health of a people; and in this respect there is a marked difference between Fiji and the Ellice and Gilbert groups. In the latter group, the rainfall is almost nominal, and the population increases so fast that it becomes a question whether the islands will be able to maintain their inhabitants, whilst in Fiji, with its great rainfall and luxuriant vegetation, the natives decrease in numbers, the principal reason being that they cannot rear their children. In view of the difference in climate, it would naturally be supposed that the house of the Fijian would be found to be better adapted to withstand dampness than that of the Line Islander. But such is not the case, except inasmuch as Fijian houses are built with walls while those of the Line Islanders are built with open sides (although many of them are now built with walls, in obedience to the behest of the resident missionaries). The other advantages lie with the Line Island houses, inasmuch as in the common houses the bedplaces lie on a flooring of stones or shingle, while the sleeping-houses are lofts. In a Fijian house, on the other hand, the bedplace consists of grass thrown on the earthen floor and covered with mats.

It is the universal custom throughout Fiji not to remove this flooring-grass when rotten, but merely to cover it from time to time with a layer of fresh grass, and even this is not resorted to until the decomposition of the grass actually rots the mats that are laid upon it. When it is remembered that it is the habit of the natives to raise the mats in order to expectorate on the grass beneath, that the refuse from the daily meal is swept under the mats or to the side of the house, and that in wet weather the naked soil on which the grass is laid is actually wet from the soakings from outside, it can scarcely be doubted that the germs of many of the diseases that are so fatal to young children are communicated by the insanitary dwellings in which they pass their lives.

266. On the island of Vanuabalavu, in the province of Lau, steps were some time ago taken by Mr. Stipendiary Magistrate Swayne to induce the people to use bedplaces raised off the floor, and in March last he reported as follows:—

“During the last two months, I succeeded in having raised (*vatas*) bedplaces made in all the houses in this district. Natives will not periodically sun their bedding unless made to do so.”

“The ordinary bedding is grass or *sasa* covered with mats, and unless repairs to the house necessitate its removal it remains for years.”

“A greater part of the *sasa*, &c. turned out of doors last month was simply manure.”

“I hope this change, which it has taken some time to bring about, will improve the health of the district.”

“All the slabs obtained from sawing wood for bridges were preserved and distributed for this purpose.”

At a late provincial meeting, it was reported by the *Buli* that a number of the people—although they had built the raised bedplaces as required—still slept on the floor of their houses, refusing to adopt the new custom. Such conservatives, however, are to be found in every community; but their opposition is, in the nature of things, a diminishing quantity.

267. The ordinary Fijian house, although capacious, picturesque, and apparently clean, is, in the great majority of cases, essentially insanitary. It always holds moisture and mould in its roof, its walls, and its floor (except in the few very dry districts or seasons), unless a fire be kept constantly alight in it; and the practice of maintaining fires is said by the writer of Paper No. 15 to be dying out.

In many parts of the Colony, the earth flooring (*yavu*) consists merely of an oblong plot of ground broken up on the surface and smoothed and moulded to the outline of the house about to be built. Such *yavu* are often not raised above the surface of the surrounding soil, they are seldom drained naturally, and are never provided with effective waterways. In places where the ground is soft, as in alluvial or clay soils, and the people have made comparatively high *yavus*, it will generally be found that the earth has been merely scooped up into the required shape, leaving, round the house, shallow pits in which stagnant water, befouled with animal and vegetable impurities, is allowed to accumulate. In wet weather the water soaks through the soil that forms the floor, and rots the grass under the mats upon which the inmates sleep.

The necessity for building their houses on high *yavu* has for years been impressed on the people. Native Regulation No. 5 of 1885 provides that the height of the foundation shall be regulated by the custom of the land, but that it shall in no case be less than 1 foot, exclusive of any ditch round the house; and also that no ditch shall be dug round a house unless it is provided with a free outlet to prevent water from lying stagnant in the ditch. This regulation, however, is by no means universally observed, especially as regards the outlet to the ditch.

The principal cause of the natives' unwillingness to build high *yavu* is undoubtedly the law of custom. Throughout the coastal districts, a high *yavu* is regarded as the prerogative of the Chief, and a commoner who aspired to have his house built upon a higher foundation than those of his equals could not get the other villagers to help him in so erecting it. This feeling has hitherto proved strong enough to resist the efforts of the Government to effect a reform in this respect.

In Colo, where the Chiefs are, with a few well-known exceptions, less autocratic than those of the coastal districts, all the *yavu* are high, and generally faced with hard pebbles taken from the river-bed. A relative proportion between the *yavu* of the different ranks is sometimes preserved, but the lowest is rarely at the ground level, while the highest is as much as 15 feet above it.

Here and there throughout the Colony there are houses built upon piles, similar to those of the natives of British New Guinea. These seem generally to be used for storing the yam crop, and not as dwelling-houses. Such structures would be specially suited for use as dwelling-houses in the alluvial districts, and would be eminently healthy, but we fear that the extra trouble entailed in their construction, and their probable insecurity during hurricanes, would deter most natives from building them.

268. Next to the damp, the worst features in native houses are the lack of ventilation and the prevalence of draughts. In the mountain houses there is seldom more than one doorway, and this is still made very low, as in former times when it was important to the security of the inmates that visitors, who might be enemies, should stoop as they entered. It has, even now, its advantages in wet weather and at night, but these in no way compensate for the evils of want of ventilation.

In many houses, on the other hand, there are no less than four doorways, and unless more care is taken than is usually exercised by natives, draughts and chills must result.

269. If the house be the unit of insanitary dwellings, the native village can only be regarded as a fortuitous concourse of such units. There is no design in the configuration of the villages—no laying out; each head of a family has his house, but its site is determined either by caprice or by complex considerations rising out of the ownership of the plots of soil on which the houses are built.

In the matter of village sites, there has been a general and important change since the days of fighting have passed away. Towns which were formerly perched on strategical positions not easily accessible to an enemy are so no longer, but are spread out anew on alluvial flats for facility in planting and in communication. This is no doubt a convenience for provincial administration, but it is a backward step from a sanitary point of view. The same causes have resulted in the old fighting-trenches being neglected and becoming overgrown with rank vegetation, as stated by the writers of Replies Nos. 15 and 61. The sites of villages are often changed on paltry excuses, the real reason being generally connected with the food plantations, or the threatened encroachment of some neighbour on land belonging to the village, or the desire of the villagers to get away from a public road and escape their share of the work of keeping it in repair and entertaining travellers, or a desire, on the other hand, to live near a public road. Of late,

however, it has been the salutary practice of the Government to cause any projected new sites for villages to be inspected by a district medical officer, or, when that is not possible, by a native practitioner, before allowing the proposed removal to be carried into effect.

There are districts, such as Rewa, Vutia, Noco, and others, in which it is impossible to find the ordinary conditions of a healthy site. They are situated in the deltas of rivers, and consist almost entirely of mangrove swamp. The water of the streams in such places is brackish during most of the year, salt in the driest months, and, in the wet season, laden with muddy and slimy impurities. The surface-soil consists of the accumulated strata of alluvium deposited by floods, and is from 1 to 3 yards in depth. The subsoil is black silt filled with the decayed roots and stumps of the mangrove bushes and trees of a bygone century. A few feet below this is generally to be found the solid coral bed which once formed the foreshore or perhaps the sea reef. In a soil of this formation, drinkable water is not to be got by digging, yet the natives of such places resort to shallow surface wells for their supply.

270. The remedy to be applied to this condition of things should be of a twofold nature, so as to affect in the first instance the character of the dwelling-houses, and, in the second place, and as opportunity may offer, the sites and sanitation of villages.

271. With regard to the first point, it should be borne in mind that one result of the abolition of the communal system in Tonga has been to make it impossible for people, who by reason of their lack of industry or their distance from a market have failed to accumulate chattels or coin, to get decent houses built for themselves and their families. This is a natural outcome of poverty when allied with an unaccustomed individual responsibility. To meet the risk of such consequences occurring in Fiji, as in the course of time the communal system here, too, is relinquished, we think it would be advisable to utilise some of the remaining strength of the system for the construction of a number of better and more permanent houses in every principal village, or in such villages as are found to be well situated, and also in the concentrated towns, if our recommendations under the head of "Decentralisation" are adopted.

The next question is, What description of house should the natives be induced to build? Timber and iron are extensively used by the natives of Eastern Polynesia as material for the construction of houses, but it does not appear that such houses are appreciated by Fijians, and the cost of their erection is a drawback. But it should not be impossible, in course of time, to introduce houses built of sawn timber, and roofed with shingles. The natives have no knowledge of the building of stone and lime houses. If it were possible to introduce such buildings, they would be most suitable; but natives are too casual to be entrusted with the erection of such structures, and the element of expense would prevent the employment of skilled supervision.

In limestone districts, and on the coast where coral is always available, there is nothing to prevent the erection of substantial "wattle-and-plaster" buildings such as are now in use as native chapels. The existence of these buildings prove the capabilities of the people in this direction. Unfortunately, however, natives have for the most part a rooted objection to houses of this description, alleging that they are cold and damp. But the dampness cannot be greater than in the ordinary native house, and in any case both cold and damp could be dispelled by keeping fires alight in the houses. Lastly, if none of these styles of house building finds favour, the forest affords an ample supply of durable timber for the construction of squared log houses, which could doubtless be raised by the native carpenters assisted by the pupils of the Native Technical School.

For all such buildings, wooden shingles would afford a good roofing material, and could be split by native *matais* from timber growing in the bush.

272. But if for the present it be vain to hope for houses built of more solid material than is now used, we think the Government should aim at reforming the present style of native house. The most important reform is undoubtedly the erection of high *yavu*, and to effect this legislation is necessary. We think that a Regulation should be enacted providing that after a certain date no houses should be erected on a foundation lower than a given minimum, which we are inclined to think should be at least four feet. This elevation should be maintained throughout the whole area of the *yavu*, and the top of the *yavu* should be filled in with stones or pebbles where procurable. In no case should the earth be scooped from the surrounding surface, nor should depressions be left about the house. The exposed sides of the *yavu* should also be faced with stone where possible.

Flooring with timber (if the floor be at least two feet off the ground throughout its surface) should be accepted as the alternative of a *yavu* of the height above specified.

building on piles, with a yard of clear space underneath the floor, should also be allowed as an alternative to the *yavu*.

Such buildings should be of a sufficient distance apart to secure privacy to the inmates. Any regulation dealing with this subject should seek to effect a reform in the ventilation of the houses by stipulating that doorways should be at least six feet high and three feet wide, and that they should not be placed opposite each other. The use of doors and windows should be encouraged. It should also be provided that no dwelling house be less than three fathoms long and the same measurement to the ridge.

It has been suggested that the natives should be induced to use raised bed-places, which might be made of sawn slabs of timber or of interlaced boughs laid upon upright posts so as to form a platform on which the grass and mats might be spread. This, however, is not a Fijian institution, and it would be more difficult to insist upon the general adoption of it than upon the erection of high *yavu*. The latter, we think, should be insisted on, but at the same time the people should be encouraged to use raised bed-places.

These suggestions doubtless savour of paternal legislation of an extreme kind, but, as indicating its necessity, it is not to be forgotten that the Tongans have of their own accord passed a sanitary law of a more stringent character than that now proposed, dealing, among other things, with house-building.

273. With regard to sanitation we believe that to effect a reformation in the state of native villages and their surroundings, where they have not the advantage of natural drainage, subsoil drainage is the only treatment that will be effective. This, of course, means a considerable initial expenditure of labour, which would be extremely repugnant to the natives, the more so as they show an exceptional inaptitude for earth work. It would therefore, as a rule, cost less labour to rebuild a Fijian village on a site naturally drained. The Fiji Islands have hitherto been happily free from marsh fevers such as are the bane of the population, native and foreign, in Melanesia and New Guinea, in India, Africa, and other tropical countries. But, were this freedom to come to an end, there can be no doubt that, without subsoil drainage, the village population in most of the alluvial and many of the littoral districts would be quickly extinguished. At present dysentery fills the place which these fevers would occupy, and adds largely to the mortality. The absence of such drainage is a standing invitation to any extraneous miasmatic poisons which may reach the country to become endemic.

The better observance of sanitary regulations as regards latrine accommodation, and the cleanliness and drainage of the villages generally, cannot, however, be expected until their supervision is put into the hands of Europeans, at least for a time. The keeping of pigs in villages should, wherever possible, be discouraged. They should be kept in fences outside the village.

To provide for the sanitation of the interior of the houses in cases where the system of raised bed-places is not adopted, the most important matter is the removal and destruction of the flooring-grass at stated intervals. It is not enough to leave this to the care of any local native officer. To ensure regularity, a law is required appointing one day in the year (or more if necessary) when every householder shall clear out his house and burn every scrap of flooring-grass, replacing it with new grass properly dried. The date would be printed in the Government Almanac, and published in *Na Mata* as it drew near. A penalty for neglect should be provided, part of which should go to the informer.

To ensure the carrying out of sanitary enactments, periodical inspection would be necessary. As at the present time there are not sufficient European officers for the purpose, reliable Fijians, natives of other provinces than those in which they are employed, might be selected as inspectors. In most cases, however, the native medical practitioners might properly hold the appointment of native sanitary inspectors, with a small salary and a proportion of the fines inflicted upon their information. But we have more faith in the efficacy of our suggestions given under the head of "More Efficient Administration of Native Laws" to secure the observance of these recommendations, if they should be deemed worthy of adoption.

274. To summarise our conclusions under this head :—

- (1.) Many towns are unhealthily situated.
- (2.) Almost all the towns suffer from defective sanitation.
- (3.) The houses are damp, and often ill-ventilated or subject to draughts.
- (4.) The native system of bed-places is pernicious.

The remedies we have to propose are :—

- (1.) Insist on the *yavu* of houses being raised at least four feet above the ground and free from surrounding hollows, accepting as an alternative a wooden floor two clear feet above the ground, or building on piles, with three clear feet between the surface of the ground and the floor of the house. *Yavu* to be faced with stone and overlaid with stone or pebbles where possible.
- (2.) Encourage the building of wooden, stone, wattle-and-plaster, or log, houses, whilst the communal system exists, so that it may leave the people provided with substantial houses. It might be found expedient to direct that each town, or certain towns in each district, shall build one house of this description every year. This would gradually attain its object, and would also prevent decentralisation.
- (3.) Encourage the introduction and use of raised bed-places (*vata*).
- (4.) Procure the removal of towns from unhealthy sites. (*See also* under “Decentralisation.”)
- (5.) In these new towns, provide for buildings being a sufficient distance apart to secure privacy.
- (6.) Provide also for a minimum size of dwelling-house and for ventilation.
- (7.) Encourage the use of doors and windows.
- (8.) Provide sanitary regulations dealing with these matters and with latrines, pig-keeping, and scavenging. Such regulations should be printed for circulation in each village.
- (9.) A most important matter is effective supervision of sanitation, and this could be best obtained in accordance with the suggestions made under the heads of “Decentralisation,” “Hygienic Mission by European Women,” and “More Efficient Administration of Native Laws.”

No. 21.

THE MARQUESS OF RIPON to SIR JOHN B. THURSTON.

SIR,

Downing Street, November 12, 1894.

I HAVE the honour to acknowledge the receipt of your Despatch of the 7th of September, and of Mr. Berkeley's Despatch of the 19th of the same month,* in reply to mine of the 26th of July,† respecting Mr. Fillingham Parr's allegations.

I request that you will thank Mr. Berkeley for his exhaustive report on the subject.

I have, &c.

RIPON.

No. 22.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.

(Received January 31, 1895.)

Government House, Suva, Fiji,

December 19, 1894.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 9th October,‡ having reference to the alleged mortality of the natives of this Colony, which has been reported to have reached the rate of five deaths to one birth.

2. In reply I beg to state that the rate of mortality is not as has been alleged, but nevertheless the mortality is unquestionably great.

3. For your Lordship's information I enclose a copy of the Native Commissioners' recent report§ upon the subject, which gives the rate of mortality as accurately as it can be ascertained.

4. The general tenor of the report is to show that where the native population can be protected from the effects of epidemic diseases it remains stationary or shows a disposition

* Nos. 19 and 20.

† No. 2.

‡ No. 16.

§ This report, being very bulky, is not reprinted here. When completed, copies will be placed in the Libraries of both Houses.

to slightly increase. In many provinces of the Colony there has been a trifling increase instead of decrease, as may be conveniently gathered by reference to the extract of the native newspaper "Na Mata" forming Enclosure No. 2* of this Despatch.

5. Reports from Provincial Councils which have lately passed under my notice also report increases in several provinces during the last six months. In others there has been a serious decrease, due chiefly to whooping cough, which complaint I regret to say has for years past been prevalent in the Colony, and was doubtless introduced by some family coming from Australia or New Zealand.

6. It has been correctly stated that I have instituted an inquiry into the question, with a view, if possible, of providing a remedy for the distressing mortality which I had observed to exist among infants and young children. For that purpose I drew up a Circular, dated 30th December 1891, and caused it to be issued from the Colonial Secretary's Office, inviting persons of every class and shade of opinion whom I thought able from their experience to throw light upon the subject to assist me with their observations and suggestions.

7. I enclose a copy of the Circular* referred to and a complete set of the replies,* which it elicited.

8. It will be observed that the replies referred to are occasionally contradictory, and that others set forth opinions and deductions which are purely theoretical and sometimes fanciful. Under this category I may instance the two which are numbered 27 and 39 respectively. The first, from Mr. Hunter, is written to show that the native taxation scheme and policy is the backbone of the communal system, and that the communal system, which is hateful in Mr. Hunter's eyes, is the source of all evil. The second is from Mr. James McConnell, a very bitter opponent of Government. This gentleman's idea is that the earliest remedy to be applied is the establishment of a representative or popular form of Government. Many of the answers, however, contain matter worthy of consideration, but I think I may say that nothing is disclosed that had not already been under official consideration.

9. After perusal of the replies received, I appointed the Chief Medical Officer, the Assistant Commissioner for Native Affairs, and the Assistant Colonial Secretary, a Committee to consider the replies and furnish me with a summary of the observations and suggestions made.

10. The Committee got to work, but, instead of proceeding upon the lines indicated by me, it proceeded to draw up a report more in the nature of a treatise upon the difficult, and not infrequently obscure, questions with which it was intended to deal.

11. The departure of the Chief Medical Officer caused me to look into the work of the Committee as it had proceeded up to that time, when I discovered that, as already stated, the nature and volume of their work, though useful and very interesting, was not in the more succinct and practical form I had intended. It was then, however, too late to change the Committee's plan of action, and, under the impression that the report would be prolonged but little further, I concurred in its continuance. Subsequently to the departure of the Chief Medical Officer the work was carried on conjointly by the Assistant Secretary of Native Affairs and the Assistant Colonial Secretary, though in point of fact by far the greater part of the work has been done by the latter officer. As your Lordship is aware, the Acting Assistant Secretary for Native Affairs, Mr. Basil Thomson, left this Colony to take up an appointment at Barbadoes, and this threw the work entirely upon Mr. Stewart, the only remaining member of the Committee.

12. The report is, I am sorry to say, not yet quite concluded, but I think it well to transmit it, for the information of your Lordship, as far as it has been printed.

13. I do not propose in this Despatch to offer your Lordship any extended expression of my own opinion upon the several questions which the subject under consideration has raised.

14. I have already in one of my Despatches to the Colonial Office, which has been printed in Blue Book C. 4434, 1887, pp 154-156, expressed the general conclusions at which I had then arrived, and which I see no reason for changing in any material degree.

15. I do not believe that the mortality among the people is due either to the abandonment of polygamy, their still existent, but modified, communal customs, the marital relations of the people, the area from which wives or husbands respectively are selected, or many of the other causes instanced by the gentlemen replying to my Circular.

16. I believe that the rate of mortality among the natives (the effect of epidemics excluded) is less now than it was 30 or 50 years ago, when polygamy, murder, and war was the rule of Fijian life. What, in my view, is required is the improvement of the

* Not printed.

moral, rather than the physical, condition of the people, so that mothers would carefully nurse their children, and husbands would take greater care of their wives and family. I should also add that wives would take greater care of themselves.

17. The birth rate of the Colony is high. The physique of the people forms a subject of surprise and admiration with all visitors to the Colony, and I think that if the children born were carefully nurtured by women possessing even average maternal instinct they would live and not die. But the result of my observations lead me to fear that the maternal instinct of the average Fiji women of the present day is practically an absent quantity. In former days they would have been clubbed had their children, and more particularly the males, died at the present rate.

18. In 1893 it appears that deaths were to births as 5 is to 4, and it is probable that some person who acquired this information has concluded, by some confusion, that this meant that deaths were four or five times more than births.

19. The high birth rate of the Fijian people constitutes, I believe, a remarkable difference from many other similar races that have dwindled down, and it is worthy of note that, according to Mr. Thomson, in the years 1881, 1882, 1887, and 1888, each of which was free or partially free from epidemics, the native population increased.

20. The concluding paragraph of the Native Commissioners' report refers, I understand, to the suggestions contained in Mr. Stewart's Minute.

This Minute and the Twelfth Annual Report on the Vital Statistics of the Native Population are both appended to the replies to the Circular of the 30th December 1891. The figures do not always agree, and I fear that the subject dealt with is in a large measure often buried under a mass of merely collateral matter.

I have, &c.

JOHN B. THURSTON.

Enclosure in No. 22.

SIR,

Provincial Department, October 8, 1894.

I HAVE the honour to submit herewith the Fourteenth Annual Report of the Vital Statistics of the Native Population for the year ending 31st December 1893, along with Tables "A," "B," "C," "D," and "E," also "F," "G," "H," and "I," which show the returns of births, marriages, and deaths during the four quarters of the year. The returns from the scattered province of Lau have only lately come to hand, and this, combined with pressure of official work, has prevented my transmitting this report at an earlier date.

2. The returns now forwarded show that the native population on the 31st December 1893 was:—Males, 55,292; females, 48,254; total, 103,546, compared with males, 55,833; females, 48,792; total, 104,625, on the same date in 1892, or a decrease of 1,079, during the year.

3. A reference to Table "E" will show that, as in previous years, the causes are not far to seek. The mortality amongst infants is, as usual, excessive, over 35 per cent. of the deaths being those of small children under one year of age. The dangers through which all children have to pass at this tender age were further aggravated by three epidemics:—Whooping-cough, infantile diarrhoea and dysentery, dengue fever, and influenza. The latter came as a sort of sequel to the two former, and the disastrous effects were dreadfully apparent in the Provinces of Tailevu and Ra.

4. The death rate for the year, 50·12 per mille, is somewhat in excess of that of 1892, and is abnormally high. The Provinces of Tailevu, Ra, and Bua head the list with 64·99, 60·16, and 59·40 per mille respectively.

5. The birth rate for the year, 39·70 per mille, is satisfactory, and is higher in fact than it has been for the last four years; this, on the face of it, tends to upset the lately suggested theory of a diminished fecundity of the race. The provinces of Colo West and Namosi head the list on this occasion with 50·17 and 48·29 per mille respectively.

6. I have been unable to gain any reliable information from comparing the births and deaths throughout the Colony for each quarter of the statistical years, no two quarters being alike in this respect. In 1893 the greatest decrease was during the last quarter (407), while in 1892 the least decrease (156) was in the last quarter. It seems to me to be merely a question as to the time of year when the "foreign epidemics," if I may so term them, attack the people.

7. Curiously enough, and upsetting at once all preconceived ideas as to Vanua Levu with a low and steadily decreasing birth rate and an abnormally high death rate, Cakaudrove during 1893 showed 439 births as against 405 deaths, and a birth and death rate of

43·50 and 40·13 per mille respectively. I may mention that in 1892 Cakaudrôve had a birth rate of 35·99, and a death rate of 51·50, with a total decrease of 156.

8. The only other province with an increase during 1893 is Colo West, the increase being 14. The hurricane of December 1892 was felt very severely in Yasawa, and may in part account for its having receded from the position of the most favourable province in the Colony; a position which it retained for years.

9. A remarkable feature in connexion with this province is to be seen in comparing the decrease during the second quarter with the increase during the third quarter. During the second quarter there was an excess of deaths over births of 20, while during the third quarter there was an excess of births over deaths of 13. In fact Yasawa fluctuated in a surprising manner all through the year; for during the first quarter there was an increase of 8, while in the second quarter a decrease of no less than 20; in the third quarter to the other extreme again by an increase of 13, while in the fourth quarter a decrease again of 7. Notwithstanding that Yasawa is the fourth smallest province, none of the other provinces fluctuated to the same extent.

10. By far the most unsatisfactory returns come from the Province of Tailevu, which is the largest in point of population. This province came out at the end of the year with a total decrease of no less than 353, the deaths being well on towards doubling the births. As follows:—Total births for the year 465, total deaths for the year 818. The male deaths alone almost equalled the total births. In each quarter there was a steady and considerable decrease.

11. Ra, too, one of the largest in point of population, has rendered a very bad account of itself, with a total decrease of 146. As seen in Table "A," out of a total of 607 deaths for the year, no less than 205 (more than one third of the total) were children safely born who died within one month of their birth—105 males and 100 females. Such fearful mortality amongst safely-born children within one month of their birth must surely be the result of wanton neglect for which the parents must be in part responsible.

12. The most hopeful feature in these statistics is the continued high birth-rate, and the fact that the Province of Cakaudrove has made such a marked improvement when compared with its record for previous years.

13. The number of still-births has increased from 210 in 1892 to 254, a number very much in excess of what it ought to be.

14. I think it will now be generally admitted that three of the causes which tend to produce this annual deplorable decrease in the native population are to be found in (1) European epidemics. (2) The utter indifference and apathy of the people generally, and parents in particular, to the welfare of small children, saturated as the minds of the elder people are with gross ignorance and superstition. (3) Want of nutritious food while suckling. (4) An absence of the ordinary principles of hygiene in a large per-centage of native houses and villages, and a strong disinclination to put into force the most rudimentary sanitary laws.

15. I venture to think that, distasteful though the process may be to the natives, more especially to a conservative people like the Fijians, whose susceptibilities are certain to be hurt more or less by any radical change, it is hopeless to expect an increase in the native population until these subjects receive much more serious practical attention than at present.

I have, &c.

W. L. ALLARDYCE,
Assistant Native Commissioner.

NEWFOUNDLAND (FINANCIAL CRISIS).

RETURN to an Address of the Honourable The House of Commons,
dated 22 February 1895 ;—for,

“COPIES or EXTRACTS of CORRESPONDENCE which has passed between the Imperial Government and the Government of Newfoundland relating to the present Financial Crisis in that Colony, and to the request for Aid by the Government of Newfoundland.”

Colonial Office, }
6 March 1895. }

SYDNEY BUXTON.

(*Sir Francis Evans.*)

Ordered, by The House of Commons, to be Printed,
7 March 1895.

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C O N T E N T S.

Serial No.	From or to whom.	Date.	SUBJECT.	Page.
1894 :				
1	Sir Terence O'Brien -	(Received Dec. 10) - Telegraphic.	Forwards a message from his Ministers setting forth the state of affairs, and asking whether Her Majesty's Government will aid in procuring a loan of 1,000,000 dollars ; the services of a war ship are required, and a Royal Commission of inquiry should be appointed -	5
2	To Sir Terence O'Brien -	Dec. 11 - - - Telegraphic.	Informs him that Her Majesty's Government could only intervene after full inquiry by a Royal Commission ; this can only be done at request of Legislature, which should be summoned at once -	5
3	Sir Terence O'Brien -	(Received Dec. 14) - Telegraphic.	Reports that the Colonial Government are anxious to know whether the Royal Assent would be given to a Bill authorising the issue of Treasury notes -	6
4	To Sir Terence O'Brien -	Dec. 14 - - - Telegraphic.	Instructs him, if it is desired to proceed with a Treasury Notes Bill, to telegraph the full details of such a measure -	6
5	Sir Terence O'Brien -	(Received Dec. 18) - Telegraphic.	Inquires whether, in the event of the Legislature agreeing to a local inquiry by a Royal Commission, immediate assistance will be given by Her Majesty's Government, and, if so, on what terms. Further inquires what the scope of such local inquiry would be - -	6
6	Sir Terence O'Brien -	(Received) Dec. 19 - Telegraphic.	Inquires whether a Bill guaranteeing a certain value on all bank notes, in order to provide a present circulating medium, would be assented to - - -	7
7	To Sir Terence O'Brien -	Dec. 21 - - - Telegraphic.	States that the Secretary of State would not refuse to allow him to assent to a Bill for providing a circulating medium, such assent not implying any responsibility on the part of Her Majesty's Government, and instructs him to telegraph the substance of the material provisions of the measure - - -	7
8	Sir Terence O'Brien -	(Received Dec. 23) - Telegraphic.	Gives the principal provisions of the Circulation Bill, and asks whether any inquiry beyond that now being made by the Joint Committee of both Houses is necessary before he can assent to the Bill - - - -	7
9	Sir Terence O'Brien -	(Received Dec. 24) - Telegraphic.	Asks whether an inquiry into the existing circumstances of the banks by a Joint Committee of both Houses (the calculations to be checked by representatives of foreign banks) would suffice -	8
10	To Sir Terence O'Brien -	Dec. 25 - - - Telegraphic.	Observes, in reply to his telegram of 23rd December, that the suggestion of the Secretary of State as to the composition of the Committee was not intended as a condition of assent to the Bill - - -	8

Serial No.	From or to whom.	Date.	SUBJECT.	Page.
		1894 :		
11	Sir Terence O'Brien -	(Received Dec. 28) - Telegraphic.	Reports that there is a strong feeling in favour of inquiry by Her Majesty's Government, and that the Committee of both Houses report the insolvency of the Commercial Bank, and the solvency of the Union Bank - - - -	9
		1895 :		
12	To Sir Terence O'Brien -	Jan. 2 - - - Telegraphic.	Informs him that the matter referred to in his telegram of 18th December is under consideration, and that an answer may be expected shortly - - - -	9
13	To Sir Terence O'Brien -	Jan. 9 - - - Telegraphic.	Informs him that Her Majesty's Government will be prepared to appoint a Royal Commission, if requested to do so by the Government and Legislature, but cannot pledge themselves beforehand as to the course to be taken when the Report of the Commission is received -	9
14	Sir Terence O'Brien -	(Received Jan. 24) - Telegraphic.	States that the Legislature will at once support his Government in making a formal request for the appointment of a Royal Commission, if Her Majesty's Government will give the assurance that there is no intention of interfering with the Constitution of the Colony as a result of the proposed inquiry - -	9
15	To Sir Terence O'Brien -	Jan. 26 - - - Telegraphic.	States that the Royal Commission must be unfettered and free to make inquiries, the result of which Her Majesty's Government will await - - - -	10
16	Sir Terence O'Brien -	(Received Feb. 11) - Telegraphic.	Forwards a message from his Ministers inquiring under what conditions Her Majesty's Government would guarantee Newfoundland Bonds - - - -	10
17	Sir Terence O'Brien -	(Received Feb. 16) - Telegraphic.	Forwards a Minute from his Ministers inquiring whether Her Majesty's Government will assent to the indemnification of the Ministry in the event of relief works being undertaken, and expressing the opinion that an amendment of the Election Act is absolutely necessary -	11
18	To Sir Terence O'Brien -	Feb. 19 - - - Telegraphic.	Expresses the inability of Her Majesty's Government to guarantee the Newfoundland Bonds, as requested - -	11
19	To Sir Terence O'Brien -	Feb. 20 - - - Telegraphic.	Informs him, in reply to No. 17, that Her Majesty's Government cannot pledge themselves as to the advice they may give on a Bill not yet before them -	11
20	Sir Terence O'Brien -	(Received Feb. 24) - Telegraphic.	Reports that Sir F. Evans, M.P., has been appointed Special Commissioner to represent the views of the Colonial Government - - - -	12
21	Sir F. H. Evans, M.P. -	Feb. 25 - - -	Asks, on behalf of the Colonial Government, that Her Majesty's Government will afford assistance to the Colony by guaranteeing 20,000 <i>l.</i> per annum for 25 years as interest upon bonds which they desire to issue - - - -	12

Serial No.	From or to whom.	Date.	SUBJECT.	Page.
		1895:		
22	To Sir F. H. Evans, M.P.	Mar. 5 - - -	Informs him that Her Majesty's Government are compelled to decline the proposal made in his letter of 25th February, but that they are prepared to send out a Commissioner for the purpose of relieving actual distress from sums to be furnished by the Treasury for that purpose - - - - -	12
23	To Sir Terence O'Brien -	Mar. 5 - - - Telegraphic.	States that Her Majesty's Government have not been able to accede to the request for a guarantee of interest on bonds, but that they propose to send out a Commissioner who will disburse sums placed at his disposal by the Imperial Treasury for the relief of actual distress - - - - -	13

COPIES or EXTRACTS of CORRESPONDENCE which has passed between the Imperial Government and the Government of Newfoundland relating to the present Financial Crisis in that Colony, and to the request for Aid by the Government of Newfoundland.

— No. 1. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 10 December 1894.)

TELEGRAPHIC.

MY Government requests me to forward the following message relative to the present critical state of the Colony, and the urgent need for prompt assistance :—

The Commercial Bank has failed; the Union Bank cannot possibly keep open much longer. The interest payable in London next January upon the Colony's bonds, which the Union Bank was to pay for the Colony to the London and Westminster Bank, cannot be provided, and the Colony therefore will be a defaulter unless aid is afforded. The disaster, which involves the whole trade of the Colony, has been long impending, but has been precipitated by the suspension of a London firm of agents. Nearly 1,500,000 dollars is due by the two banks to the Government Savings Bank, forming a preferential claim on their assets. About an equal amount of the deposits in the Savings Bank is invested in bonds of the Colony. Therefore the Savings Bank has no available funds to pay depositors, who, by the closing of the other banks, will be forced to draw upon deposits or suffer for the necessities of life. Fish to the value of 1,600,000 dollars now in stock needs to be shipped to be realised, but there will actually not be funds enough in the Colony to pay shipping expenses unless help can be afforded. Of the loan authorised last Session of the Legislature, nearly 700,000 dollars is for debt due London and Westminster Bank. Against the balance, say 800,000 dollars, and Colony's bonds owned by Savings Bank, say 1,400,000 dollars, as collateral, a temporary advance to Savings Bank of 1,000,000 dollars, at least, must be procured in London, or the utmost misery and loss be the result. Will the Imperial Government aid in obtaining this? The utmost haste is needed in order to avoid the worst results.

The services of a war ship to prevent possible disturbances and attacks upon property are called for, and it will serve to allay panic if directions are immediately sent to order a ship.

A Royal Commission to inquire into the whole political and commercial position of the Colony is absolutely essential, and Her Majesty's Government cannot decline to send such a Commission forthwith without serious and far-reaching results.

— No. 2. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 11 December 1894.)

TELEGRAPHIC.

IN answer to your telegram, Her Majesty's Government much regret to learn of financial crisis. Impossible,

Impossible, however, for them to intervene in any manner, if at all, unless after full local inquiry by Royal Commission, which can only be undertaken at request of Government and Legislature.

It is urgently necessary, therefore, that Legislature should be summoned at once.

— No. 3. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 14 December 1894.)

TELEGRAPHIC.

[*Answered by No. 4.*]

COLONIAL Government anxious to know whether, in view of present crisis and my instructions, Royal Assent would be given if Bill introduced authorising issue of Treasury Notes.

— No. 4. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 14 December 1894.)

TELEGRAPHIC.

WITHOUT full details as to proposed issue, cannot say what advice will be given to Queen. If it is desired to proceed with such a measure, telegraph full details as to what is proposed.

— No. 5. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 18 December 1894.)

TELEGRAPHIC.

[*Answered by No. 13.*]

COLONY deplorable condition owing to bank and commercial failures. Referring to your telegram of 11th December,* Colonial Government desire to know whether, in the event of the Legislature agreeing to local inquiry by Royal Commission, Her Majesty's Government would be prepared to give immediate assistance, and, if so, on what terms; also what would be scope of any local inquiry by Royal Commission if granted at present.

— No. 6. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 19 December 1894.)

TELEGRAPHIC.

[*Answered by No. 7.*]

It is proposed to provide a present circulating medium by a Bill that Colonial Government should guarantee a certain value, to be determined after a full Report on present condition of banks, to be stamped on all notes duly registered now in the hands of public, any further surplus after paying stamped value to be apportioned to persons registering notes, which will be redeemable in two years. In view of my instructions, would such a Bill be assented to?

— No. 7. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 21 December 1894.)

TELEGRAPHIC.

[*Answered by No. 8.*]

(Paraphrase.)

WITH reference to your telegram of 19th December,* I should not, as at present advised, refuse to allow you to assent to Bank Notes Bill. Telegraph to me the substance of material provisions of the measure.

The investigation on which the stamped value is to be determined will, I presume, be conducted by persons entirely independent of the banks.

Of course your assent to the measure does not imply any responsibility on the part of Her Majesty's Government for the redemption of the notes.

— No. 8. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 23 December 1894.)

TELEGRAPHIC.

[*Answered by No. 10.*]

BILL proposes appointment Registrar for each bank, who will register number, date, denomination of each note presented him before 31st December 1896, either personally or by post, together with name, address, description of presenter, and date of entry. He shall endorse said notes with official stamp guaranteeing payment by Government at valuation reported by Joint Com-

mittee of both Houses now sitting; he shall return notes so stamped to presenter with certificate of facts aforesaid, and shall have power at any [time] to issue new notes in place of old notes; Registrar shall receive all dividends declared on stamped notes; said dividends shall not be liable to seizure by process of law. He shall, after 1st January 1897, pay holders of notes presented him for payment the amount of guarantee [fixed]; if he shall be unable to pay said guarantee out of dividends in his hands he may call on Government for difference. If there should be balance in his hands after such payment, he shall apportion such sum rateably to credit of original presenters, and after reasonable notice pay same to presenter or to holder of certificates. All notes now in possession of bank shall be deposited with Receiver General. Governor may appoint Commissioner to watch interests of Government, with power to demand books, examine on oath all officials of banks, and report from time to time to Governor.

No. 7.

Above-mentioned Committee selected by Houses of Legislature commenced investigation before receipt of your Lordship's telegram of 21st December;* it includes shareholders in both banks.

Is further investigation by some persons entirely unconnected with banks necessary before I can assent?

— No. 9. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 24 December 1894.)

TELEGRAPHIC.

[*Answered by No. 10.*]

ONLY power existing inquiring into circumstances of banks is under Bank Charters by Committee of both Houses. Committee is the most disinterested that can be selected, for I find majority of members are unconnected with banks; two only are small shareholders. It is intended, as a further precaution, to have calculations made by Committee checked by representatives of foreign banks now here. Will this suffice? Immediate reply imperative.

— No. 10. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 25 December 1894.)

TELEGRAPHIC.

SUGGESTION as to composition of Committee was not intended to be condition of assent. It is understood by telegram of 24th December† that you are satisfied.

† No. 9.

— No. 11. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 28 December 1894.)

TELEGRAPHIC.

[*Answered by No. 12.*]

REFERRING to my telegram of 18th December,* strong feeling in favour of * No. 5. inquiry existing in respectable public. May I expect to receive answer shortly?

Committee of both Houses report insolvency of Commercial Bank and solvency of Union.

— No. 12. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 2 January 1895.)

TELEGRAPHIC.

MATTER referred to in your telegram of 18th December† under consideration; † No. 5. hope to be able to send reply shortly.

— No. 13. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 9 January 1895.)

TELEGRAPHIC.

HER Majesty's Government would be prepared, if requested to do so by the Government and Legislature of Newfoundland, to appoint a Royal Commission to inquire into the condition of the Colony and the causes which have led to it, and to report thereon to Her Majesty's Government, but they cannot pledge themselves beforehand in any way as to the course which they may take when they have received the Report of the Commission.

— No. 14. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 24 January 1895.)

TELEGRAPHIC.

[*Answered by No. 15.*]

REFERRING to your telegram of 9th instant,‡ relative to appointment of † No. 13. Royal Commission, grave alarm has been occasioned by statements in the
104. B English

English press that assistance can be granted only at price of surrender of the Constitution, and consequent return of Colony to condition of a Crown Colony. My present Ministers cannot admit correctness of assertion of my late advisers that a Royal Commission is absolutely essential. The present embarrassment, though very grave, is not governmental except in so far as failure of banks and commercial firms has left the Colony without funds, and entirely suspends Customs receipts. Therefore immediate assistance financially is absolutely necessary. While they dissent from the position taken by my late advisers, they would welcome a Royal Commission as preliminary to a guarantee of loan, being confident that inquiry into internal resources of Colony will evidence that the depression is only temporary, and prove soundness of the Colony's resources. If Her Majesty's Government will give the assurance that there is no intention of interfering with the Constitution of the Colony as a consequence of the proposed inquiry, that its aim and object will be to acquire accurate information respecting resources of the Colony, and to aid my Government in readjusting Tariff and Civil List to such extent as in view of immediate assistance and future guarantee may be deemed necessary by Imperial Government, the Legislature will at once support my Government in making the formal request required by your Despatch of date aforesaid.

— No. 15. —

The Marquess of Ripon to Sir Terence O'Brien.

(Sent 26 January 1895.)

TELEGRAPHIC.

No. 14. WITH reference to your telegram of 24th January,* I cannot take any responsibility for what may have been said in the newspapers. Her Majesty's Government have not arrived at any foregone conclusion. Royal Commission must be unfettered and free to make the inquiries specified in my telegram of 9th January.† Her Majesty's Government will await the result of the inquiry.

No. 13.

— No. 16. —

Sir Terence O'Brien to the Marquess of Ripon.

(Received 11 February 1895.)

TELEGRAPHIC.

[Answered by No. 18.]

I HAVE been requested by my Government to forward the following message:—

My Ministers are of opinion that an Imperial guarantee of Newfoundland Bonds would enable them to pay off all the floating liabilities of the Colony and to carry the Government over the present crisis, and until the revenue would again suffice for the wants of the island. Would the Imperial Government take this matter into consideration, and reply on what conditions they would give such a guarantee and preserve the integrity of the Colony through a temporary though most severe crisis?

— No. 17. —

Sir *Terence O'Brien* to the Marquess of *Ripon*.

(Received 16 February 1895.)

TELEGRAPHIC.

[*Answered by No. 19.*]

AM requested by my Responsible Advisers to forward at once following:—

Attorney General brought before Council application from Michael Cary and large number of other residents of this city and of outlying districts, praying for immediate relief by their being employed on some public works. At the same time he called the attention of the Committee to the recent decision of the courts in case of the election petitions, and said that he could not advise Government to commence relief works while elections are pending, as, by his reading of the judgments, the Members returned may again incur the penalty of a loss of their seats, besides being subject to heavy costs. It was ordered that his Excellency the Governor be acquainted of the circumstances, and that he be requested to telegraph Secretary of State for the Colonies a copy of this Minute, and to ask, if necessary relief works be undertaken, whether Her Majesty's Government will assent to indemnification of Ministry. An amendment of Election Act is absolutely necessary to enable Government to undertake any public works without bringing themselves and candidates under the law as interpreted by judges in recent election trials.

— No. 18. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 19 February 1895.)

TELEGRAPHIC.

THE application of your Ministers made in your telegram of the 11th February* has been carefully considered by Her Majesty's Government.

* No. 16.

It is a necessary consequence of the self-government enjoyed by Colonies having responsible government that such Colonies should not look to the Imperial Government to aid them in their financial affairs; such aid would require constant supervision inconsistent with self-government. To guarantee the Newfoundland Bonds would create a precedent of wide application, which would involve Her Majesty's Government in responsibilities which they could not undertake with justice to the taxpayers of the United Kingdom. They are therefore unable to accept the proposal contained in your telegram referred to above.

— No. 19. —

The Marquess of *Ripon* to Sir *Terence O'Brien*.

(Sent 20 February 1895.)

TELEGRAPHIC.

REFERRING to your telegram of 16th February,† while Her Majesty's Government will give consideration to any Act which may be passed by Colonial Legislature with a desire not to recommend exercise of Queen's prerogative of disallowance, of which they have recently given proof, they cannot give pledge as to the advice which they may think it their duty to tender to Queen before Act has come before them in the constitutional manner.

† No. 17.

— No. 20. —

Sir *Terence O'Brien* to the Marquess of Ripon.

(Received 24 February 1895.)

TELEGRAPHIC.

My Government desire me to inform your Lordship, with reference to their request for a guarantee of a loan, that Sir F. Evans, M.P., has been appointed Special Commissioner by the Government of this Colony to represent their views to Her Majesty's Government.

— No. 21. —

Sir *F. H. Evans*, M.P., to *Colonial Office*.

(Received 25 February 1895.)

[Answered by No. 22.]

MY LORD,

House of Commons,
25 February 1895.

I am requested by the Government of Newfoundland to ask the Imperial Government if they will grant them assistance in the present crisis by guaranteeing £20,000 per annum for 25 years as interest upon bonds which they desire to issue.

The Colonial Government in asking this assistance desire me to assure the Imperial Government that they do not anticipate that it will ever become necessary to call upon the Imperial Government for any payment consequent upon or by reason of this guarantee.

The guarantee is only required to insure purchasers of bonds that they have the Imperial Government as security for due payment of interest.

I beg to add that the stringency of the present crisis is so great, and so much suffering requires to be alleviated, that I trust your Lordship will deal with this request at the earliest possible moment and in the most favourable spirit.

I beg also to repeat the assurance which I have already given to your Lordship, that the late commercial crisis, while extremely serious in its immediate effects, still leaves the people of Newfoundland with the sources of their prosperity unaffected thereby, and I do not doubt but that the Colony will speedily recover from its present trouble.

I have, &c.

*Francis Evans,*Special Commissioner for the Government
of Newfoundland.

— No. 22. —

Colonial Office to Sir *F. H. Evans*, M.P.

Sir,

Downing Street,
5 March 1895.

I AM directed by the Marquess of Ripon to acquaint you that Her Majesty's Government have given their most careful consideration to your letter of the

25th ultimo,* submitting on behalf of the Government of Newfoundland a * No. 21.
proposal that in order to enable the Colony to meet the present acute crisis in its affairs, Her Majesty's Government should guarantee the payment of interest to the extent of 20,000*l.* a year for 25 years on a loan which they desire to issue.

A similar application was received through the Governor of Newfoundland on the 11th ultimo, and it was pointed out to him in reply, on the 19th of that month,† that it is a necessary consequence of the self-government enjoyed by † No. 18.
Colonies having Responsible Government that they should not look to the Imperial Government to aid them in their financial affairs. Such aid would require constant supervision and control, altogether inconsistent with self-government; and, moreover, to give a guarantee to a Newfoundland loan under the circumstances would create a precedent of wide application which would involve Her Majesty's Government in responsibilities which they could not undertake with justice to the taxpayers of the United Kingdom.

These reasons appear to Her Majesty's Government conclusive against the course proposed in your letter, and they have, therefore, no alternative but to decline the proposal.

Her Majesty's Government, however, deeply sympathise with the Colony in the disaster which has overtaken it, and recognise that in consequence of the failure of the banks and nearly all the commercial houses, a large proportion of the population have been reduced to a state of extreme destitution with which it is impossible for the Colonial Government to cope.

They are prepared, therefore, with the view of meeting the more pressing needs of the people, to send out without delay a Commissioner to consider, in concert with the Governor and his Ministers, and report immediately to Her Majesty's Government, as to the extent to which such assistance is absolutely necessary to supplement local and private charity, and as to the channels through which it should be distributed; and on receipt of these reports the Treasury will, from time to time, cause such sums as they may think proper to be placed at his disposal.

I am to add that the aid to be given will be confined to the relief of actual distress, and will not extend to loans or other assistance to commercial or banking houses.

I am, &c.
R. P. Ebdon.

— No. 23. —

The Marquess of Ripon to Sir Terence O'Brien.

(Sent 5 March 1895.)

TELEGRAPHIC.

HER Majesty's Government have carefully considered application made by Special Commissioner, on behalf of Colony, for guarantee of 20,000*l.* interest for 25 years, but for reasons given in my telegram of 19th February‡ have not been able to accede to it.

‡ No. 18.

They recognise, however, existence of, and probable increase of, distress, which Colonial Government cannot relieve under existing circumstances, and propose as soon as possible to send out Commissioner, who will, in concert with you and your Ministers, as far as possible, consider and report as to extent to which assistance is absolutely necessary, in addition to private charity, and channels through which it could be best distributed.

Such sums as Her Majesty's Government may think proper will from time to time be placed at disposal of Commissioner for relief of actual distress, but no loan or assistance is to be given to commercial houses.

I hope to communicate name of Commissioner and date of departure shortly.

NEWFOUNDLAND (FINANCIAL CRISIS).

COPIES or EXTRACTS of CORRESPONDENCE which has passed between the Imperial Government and the Government of Newfoundland relating to the present Financial Crisis in that Colony, and to the request for Aid by the Government of Newfoundland.

(*Sir Francis Evans.*)

*Ordered, by The House of Commons, to be Printed,
7 March 1895.*

[*Price 2 d.*]

NEWFOUNDLAND.

FURTHER CORRESPONDENCE

RELATIVE TO THE

FINANCIAL CRISIS IN NEWFOUNDLAND.

(*In continuation of [H.C.—104] March 1895.*)

Presented to both Houses of Parliament by Command of Her Majesty.
28th March 1895.



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NEWFOUNDLAND.

FURTHER CORRESPONDENCE

RELATIVE TO THE

FINANCIAL CRISIS IN NEWFOUNDLAND.

No. 1.

SIR F. H. EVANS M.P. to COLONIAL OFFICE.

(Received March 8, 1895.)

[*Answered by No. 8.*]

MY LORD, 23, Grosvenor Place, S.W., March 7, 1895.

I AM in receipt of a communication* from the Colonial Office in answer to my letter to your Lordship of the 25th ultimo,* and I must express my regret that Her Majesty's Government have not seen fit to render to Newfoundland the slightest aid in this moment of her grave and serious trouble—a trouble which, in my opinion, has been caused indirectly, but mainly, by the action of Her Majesty's Government.

I have advised the Government of Newfoundland of this refusal.

I think it right, however, to point out to Her Majesty's Government that the analogy between Newfoundland and the other Colonies of the Empire—to which reference is made in the reply which I have received to my request on behalf of the Newfoundland Government—is not one which can be seriously maintained. The Imperial Government would not readily have interfered in a Treaty of vital importance to the Australian Colonies as they did in the case of Newfoundland, or, if they had, and serious financial trouble had resulted, the Imperial Government would have had to bear the responsibility and their share of the cost, which they decline to do in the case of Newfoundland, which is infinitely less able to bear such a strain and where the rigour of the climate makes suffering so hard to bear.

With respect to the offer of Her Majesty's Government to meet the more pressing needs of the people by sending out a Commissioner to inquire and report on what assistance is absolutely necessary, I beg to mention that at this season of the year three weeks or a month may elapse before the arrival of such a Commissioner in St. John's, and that this cannot be unknown to Her Majesty's Government. Further, that if there were any real desire on the part of this Government to help the distress of the people of Newfoundland it would be more readily shown if they would instruct the Governor to tender immediate relief pending the arrival of the Commissioner, in case the Government of Newfoundland accept this offer of charity, when their request has met with such absolute refusal of all aid asked on behalf of the Colony.

I am, &c.,

FRANCIS EVANS,

Special Commissioner of the
Government of Newfoundland.

No. 2.

SIR TERENCE O'BRIEN to the MARQUESS OF RIPON.

(Received March 8, 1895.)

TELEGRAPHIC.

[*Answered by No. 10.*]

(Extract.)

Am requested to forward following :

My Ministers appreciate the careful consideration given by Her Majesty's Government to the application of the Special Commissioner, but, judging from your Despatch of 5th

* Nos. 21 and 22 in [H.C. 104] March 1895.

instant,* Her Majesty's Government evidently fail to appreciate the condition of the Colony. Referring to former Despatches it will be seen that no loans were asked for or contemplated being made to mercantile firms or banks nor eleemosynary aid solicited. The failure of very many mercantile firms and the only two banks in the Colony, with the exception of the Savings Bank, has embarrassed the Government and the community. In the insolvent banks were deposited 200,000*l.* of the Savings Bank funds wanted for current requirements. The insolvent banks were also the Government depositories, and from them the Government drew such funds as they required. The funds of the Savings Bank deposited in the insolvent banks, being preferential, are perfectly safe, though unavailable for many months. By this failure and the discredit attaching to the Colony thereby the Government are temporarily deprived of the means of meeting promptly the claims of depositors in Savings Bank, which by law are guaranteed by Government, and Government's own requirements for some time to come without a loan, which can only be obtained on its unaided credit, at the moment, at exorbitant rate of interest. If my Government can place the Savings Bank in a position to meet all the probable demands of depositors immediately, the probability of further distress will be materially lessened.

As Her Majesty's Government have decided on sending Commissioner for the purposes expressed in your Despatch of 5th instant,* my Ministers, desiring a disinterested report and distribution of the funds placed at his disposal, respectfully request that a stranger wholly unconnected at any time, either officially or commercially, with the Colony, should be appointed. My Ministers desire that copy of this message be forwarded to Evans, Special Commissioner, to save cost second message, and they most respectfully solicit early reply, as prompt action necessary.

No. 3.

THE MARQUESS OF RIPON to SIR TERENCE O'BRIEN.

(Sent March 9, 1895.)

TELEGRAPHIC.

[*Answered by No. 4.*]

(Extract.)

Can you inform me how much the Colonial Government was indebted to the banks when they failed? Also how much the banks were indebted to Savings Bank at that time, and how much at the present time?

No. 4.

SIR TERENCE O'BRIEN to the MARQUESS OF RIPON.

(Received March 11, 1895.)

TELEGRAPHIC.

(Extract.)

In reply to your telegram of the 9th March,† on 15th December Colonial Government was indebted to the Union Bank 868,000 dollars, Union Bank was indebted to Savings Bank 969,000, Commercial Bank was indebted to Savings Bank 430,000; at present time, Government to Union Bank 635,000, Union Bank to Savings Bank 650,000, Commercial Bank to Savings Bank 391,000, Savings Bank to the Bank of Montreal 100,000.

No. 5.

SIR TERENCE O'BRIEN to the MARQUESS OF RIPON.

(Received March 14, 1895.)

TELEGRAPHIC.

(Extract.)

The Savings Bank have now borrowed another 100,000 dollars at 6 per cent. payable on demand from the Bank of Montreal, against preferential claim on the Commercial Bank for the same sum and double the amount in Colonial bonds.

* No. 23 in [H.C. 104] March 1895.

† No. 3.

No. 6.

THE MARQUESS OF RIPON to SIR TERENCE O'BRIEN.
(Sent March 15, 1895.)

TELEGRAPHIC.

Sir Herbert Murray, K.C.B., formerly Chairman Board of Customs, has been appointed Relief Commissioner, and will sail by mail steamer on 21st March. Meantime you may draw upon Her Majesty's Government through Bank of Montreal at St. John's up to 5,000*l.* for temporary relief to urgent cases which private relief agencies cannot meet, until arrival of Commissioner, to whom you should give accounts of expenditure, which should be made on your own responsibility.

No. 7.

SIR TERENCE O'BRIEN to the MARQUESS OF RIPON.
(Received March 15, 1895.)

TELEGRAPHIC.

Referring to your telegram of 15th March,* have seen Bishop of Newfoundland, President of Clergy Relief Committee, and hope to be able with aid available and expected to keep down distress till Murray arrives. I shall therefore only draw in case of emergency.

No. 8.

COLONIAL OFFICE to SIR F. H. EVANS, M.P.

SIR,

Downing Street, March 15, 1895.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 7th instant,† commenting on the refusal of Her Majesty's Government to guarantee the interest on a loan to be raised by the Government of Newfoundland.

I am to state, in reply, that Her Majesty's Government cannot admit that there is any foundation for the statement in your letter that the present trouble in that Colony has been caused indirectly, but mainly, by the action of Her Majesty's Government.

The causes of the present deplorable crisis in the affairs of the Colony must be sought elsewhere than in any action of the Imperial Government.

I am to add that his Lordship is glad to inform you that the Lords Commissioners of the Treasury have, on his recommendation, adopted your suggestion that the Governor should be authorized to tender immediate relief in any urgent cases pending the arrival of the Commissioner in the Colony.

The duty of distributing the relief which Parliament will be asked to vote has been accepted by Sir Herbert Murray, K.C.B., late Chairman of the Board of Customs, who will sail for Newfoundland by the first mail steamer, on the 21st instant.

I am, &c.,
R. H. MEADE.

No. 9.

COLONIAL OFFICE to SIR HERBERT H. MURRAY.

SIR,

Downing Street, March 20, 1895.

1. I AM directed by the Marquess of Ripon to acquaint you that, with the concurrence of the Lords Commissioners of the Treasury, he has appointed you Special Commissioner to proceed to Newfoundland, to inquire into and report on the distress prevalent in that Colony owing to the commercial crisis through which it is passing.

2. His Lordship understands that you are prepared to proceed St. John's, via Halifax, by the steamer of the 21st instant, and on your arrival at that place you should consult with the Governor and his Ministers as to the arrangements connected with your mission and the mode of procedure, but you will, of course, understand that in all questions

affecting the application of the funds placed at your disposal you are to decide on your own responsibility and your decision will be final.

3. As far as practicable you should endeavour to visit the various centres of distress, and as there are believed to be relief committees at work both in St. John's and the outports, you will no doubt find it convenient to place yourself in communication with them, and satisfy yourself as to how far, if at all, they might be trusted with the distribution of relief, and you will, of course, be careful to avoid anything calculated to discourage or diminish the efforts of such committees in obtaining and distributing relief from private sources.

4. Should you think it undesirable to avail yourself of the services of those committees or any of them, you may appoint other committees or agents, for the distribution of relief in their several districts, and as far as possible you will control and supervise their action, and will determine the classes of persons to be relieved, the limits of relief in individual cases, and the form of relief, whether in food, clothes, stores, or money.

5. The relief should be confined to cases of actual distress, and, in the case of able-bodied men, should be directed as far as possible to enable them to get work, to maintain themselves and their families while engaged in the fishery, and to provide themselves with stores and implements required for the fishery.

6. In many cases the assistance required may be an immediate advance of money or stores rather than charity, and you will in such cases make general arrangements for the repayment of such advances and for obtaining security for them, should you think that this could usefully be required.

7. In case any of the stores which you may find it desirable to have at your disposal are such as could be obtained from Naval or Military stores, you may find it convenient to arrange for obtaining them from the depôt at Halifax, with the understanding that the cost of replacing them will be charged to the relief vote.

8. You will at your discretion make advances of money or stores to the several committees or agents from time to time; and in the case of existing committees their receipts will be a sufficient discharge for you as it is contemplated that the Vote will be taken, as far as possible, as a grant in aid of other funds locally raised with the same object, but in the event of your making a purchase of stores you should, of course, obtain receipts in the usual form.

9. In the case of any local committee or agent appointed by you, they should also be required to forward to you weekly an account of their disbursements, whether in money or stores, with such vouchers as it may be possible to procure, and these accounts and vouchers should be transmitted by you with your account to the Accounting Officer of this Department.

10. You will report your proceedings to this Department from time to time, sending requisitions by telegraph as to the amount of your pecuniary requirements, which will be met through the branch of the Bank of Montreal at St. John's.

11. While engaged on this mission you will receive your actual travelling expenses and an allowance of 30s. a night (while on the mail steamer, 10s. a night) and a sum of 50l. for such outfit as may be required by the severity of the climate, and you will also be allowed such sum as you may consider necessary for clerical assistance and the examination of accounts.

12. You will probably be unable to visit the various parts of the Treaty Shore and the Labrador Coast, but the Commodore of the Fishery Squadron, Captain The Honourable A. G. Curzon-Howe, will be instructed to place himself in communication with you, and you will probably be able to make satisfactory arrangements for the distribution of relief in these districts through the agency of him and his officers.

13. A collection of printed papers relating to the financial crisis is enclosed, and you will see from it that the Colonial Government has applied to Her Majesty's Government for assistance to the Government Savings Bank upon which there has been for some time a continuous run.

14. Her Majesty's Government have felt unable to entertain this application, but, should the institution be unfortunately compelled to close its doors during your stay in the Island, you will be at liberty to consider how far it may be practicable and advisable to make advances to necessitous depositors on the security of their deposits, and it may be of assistance to you in the discharge of your mission to obtain a list of the depositors and the sums standing to their credit from the Colonial Government, who control, and are responsible for, the Savings Bank.

15. The Governor was informed that, pending your arrival, a sum of 5,000*l.* had been placed to his credit at the Bank of Montreal, but he has intimated in reply that he does not think it will be necessary for him to make use of any part of it.

16. Should he, however, find it necessary to do so, he will furnish you with an account of its distribution.

I am, &c.,
R. H. MEADE.

No. 10.

THE MARQUESS OF RIPON to SIR TERENCE O'BRIEN.
(Sent March 22, 1895.)

TELEGRAPHIC.

Referring to your telegram of 8th March,* reasons which precluded Her Majesty's Government from acceding to application for guarantee for Colonial bonds apply equally to application on behalf of Savings Bank; therefore Her Majesty's Government cannot undertake to give assistance to it.

No. 11.

THE MARQUESS OF RIPON to SIR TERENCE O'BRIEN.

SIR,

Downing Street, March 22, 1895.

IN my telegram of the 15th instant,† I informed you that Her Majesty's Government had placed at your credit at the Branch of the Bank of Montreal at St. John's a sum of 5,000*l.* to enable you to provide for the temporary relief of urgent cases of distress, and in your reply of the 16th instant,‡ you informed me that you hoped that the funds already available would be sufficient for dealing with the distress until Sir H. Murray's arrival, and that you would not draw upon the fund unless in case of emergency.

Sir H. Murray has now left for the Colony, and if, on his arrival, you have not found it necessary to draw the whole of the sum placed to your credit, you should arrange for the transfer of any balance to his account, so that the whole amount expended may be accounted for in one account by him.

I enclose, for your information, a copy of the instructions§ given to Sir H. Murray.

I have, &c.,
RIPON.

No. 12.

THE MARQUESS OF RIPON to SIR TERENCE O'BRIEN.

SIR,

Downing Street, March 23, 1895.

WITH reference to my Despatch of the 22nd instant,|| forwarding a copy of the instructions issued to Sir Herbert Murray, as Special Commissioner for the Relief of Distress in Newfoundland, I have the honour to transmit to you, for your information, and for communication to him, copies of correspondence¶ that has passed with the Bank of Montreal respecting a sum of 15,000*l.*, which has been advanced to his credit here, in addition to the sum of 5,000*l.*, which was remitted to you for the same service through the Treasury Chest Officer at Halifax.

I have, &c.,
RIPON.

* No. 2.

† No. 6.

‡ No. 7.

§ No. 9.

|| No. 11.

¶ Not printed.

QUEENSLAND (IMMIGRATION).

RETURN to an Address of the Honourable The House of Commons,
dated 8 February 1895;—for,

“RETURN relating to IMMIGRATION into *Queensland*, the Mortality in the Colony, and the Return to their Native Islands, of Polynesian Islanders during the Years 1886 to 1894, inclusive (in continuation of Parliamentary Paper, No. 342, of Session 1893).”

Colonial Office, }
18 March 1895. }

SYDNEY BUXTON.

(*Mr. John Ellis.*)

Ordered, by The House of Commons, to be Printed,
19 March 1895.

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RETURN relating to IMMIGRATION into *Queensland*, the Mortality in the Colony, and the Return to their Native Islands, of Polynesian Islanders during the Years 1886 to 1894, inclusive (in continuation of Parliamentary Paper, No. 342, of Session 1893).

YEAR.	Number of Vessels engaged in Traffic.	Certified Accommodation therein.	Number of Labourers in Colony on 1st day of January.	Labourers Landed during Year.	Mortality in Queensland during Year.	Labourers Returned to Islands during Year.
1886 - - -	15	2,760 (<i>a</i>)	* 10,755	1,595	573	2,611
1887 - - -	15	3,465 (<i>b</i>)	8,723	1,988	520	1,981
1888 - - -	16	3,916 (<i>c</i>)	8,200	2,291	482	1,292
1889 - - -	15	3,323 (<i>d</i>)	7,580	2,032	481	1,184
1890 - - -	16	4,070 (<i>e</i>)	8,115	2,459	417	1,373
1891 - - -	15	1,698 (<i>f</i>)	9,362	1,050	483	976
1892 - - -	11	1,238 (<i>g</i>)	8,627	464	315	829
1893 - - -	11	1,515 (<i>h</i>)	7,489	1,130	355	1,201
1894 - - -	12	1,624 (<i>i</i>)	7,853	1,859	319	803

(*a*) Fifteen ships made 25 voyages.

(*b*) Fifteen ships made 29 voyages.

(*c*) Sixteen ships made 34 voyages.

(*d*) Fifteen ships made 29 voyages.

(*e*) Sixteen ships made 35 voyages.

(*f*) Fifteen ships made 15 voyages.

(*g*) Of eleven ships only six returned to Queensland during the year.

(*h*) Eleven ships completed 13 voyages during the year.

(*i*) Twelve ships completed 22 voyages during the year.

* This is in some measure an estimate only; allowance has had to be made for Islanders residing in remote parts of the Colony, and out of the range of the Inspectors; hence the figures comprised in this column can only be treated approximately.

QUEENSLAND (IMMIGRATION).

RETURN relating to Immigration into *Queensland*, the Mortality in the Colony, and the Return to their Native Islands, of Polynesian Islanders during the Years 1886 to 1894, inclusive (in continuation of Parliamentary Paper, No. 342, of Session 1893).

(*Mr. John Ellis.*)

*Ordered by The House of Commons, to be Printed,
19 March 1895.*

[*Price ½ d.*]

QUEENSLAND.

FURTHER CORRESPONDENCE

RELATING TO

POLYNESIAN LABOUR

IN THE

COLONY OF QUEENSLAND.

(In continuation of [C.—7000] April 1893.)

Presented to both Houses of Parliament by Command of Her Majesty.
September 1895.



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1895.

[C.—7912.] Price 2s. 6d.

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2	Do. - -	March 6 (Rec. April 17.)	Transmits copies of reports on the voyage of the "May."	4
3	Do. - -	March 7 (Rec. April 17.)	Transmits copy of the report on the voyage of the "Lochiel," and states that the Chief Secretary has called for explanations on various points.	10
4	Do. - -	March 8 (Rec. April 17.)	Transmits copy of the report of the Immigration Agent on the voyage of the "Para."	14
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
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Serial No.	From or to whom.	Date.	Subject.	Page.
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QUEENSLAND.

FURTHER CORRESPONDENCE

RELATING TO

POLYNESIAN LABOUR IN THE COLONY OF
QUEENSLAND.

No. 1.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received April 17, 1893.)

[Continued by No. 5.]

Government House, Brisbane,

March 6, 1893.

MY LORD MARQUESS,

I HAVE the honour to forward for your Lordship's information a copy of a letter and its enclosures received from my Chief Secretary, respecting the recent voyage of the labour vessel "Ariel."

2. It will be seen that the Chief Secretary has called for a report from the medical officer at Bundaberg as to the examination of an islander who died on board this vessel, and who is stated to have been in a hopeless condition of health when he came on board.

I have, &c.

H. W. NORMAN.

Enclosure in No. 1.

Chief Secretary's Office, Brisbane,

February 25, 1893.

SIR,

I HAVE the honour to forward for your Excellency's information the accompanying copy of the Report of the Immigration Department upon the late voyage of the labour vessel "Ariel," which returned to Bundaberg on the 1st instant, together with copies of the enclosures referred to in the Report.

With regard to the passage quoted from the log of the Government agent of the "Ariel" relative to the return islander who died on board the vessel, and who is stated to have been in a hopeless condition as regards health when he came on board, I have the honour to inform your Excellency that I have directed the health officer at Bundaberg to report upon his examination of the islander in question.

I have, &c.

S. W. GRIFFITH.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c., &c.,
Governor.

Pacific Island Labour Office, Brisbane,
February 21, 1893.

SIR,

THE return of the labour ship "Ariel" to Bundaberg 1st instant affords me the honour of reporting upon her recent and 18th voyage under the "Pacific Island Labour Acts."

The ship was certified to have had sufficient space to accommodate eighty-eight (88) islanders, and licenses were granted to enable the master to recruit that number for seven plantations in the Bundaberg district and one in the Beenleigh district.

Wm. Connell was the master and Mr. W. de Vaux the Government agent.

The ship left Bundaberg 14th November last with 12 returning islanders on board, and arrived at Blackbeach, Tanna on the 29th.

Recruiting commenced at Tanna on 1st December, and was proceeded with through the New Hebrides and Banks Groups, finishing at Lacona 23rd ultimo, having occupied 54 days, during which period 78 recruits were obtained, 73 males and 5 females.

On 5th December the recruiters' boat was caught in a heavy sea, washed on to a reef, and capsized off the island of Tanna; the recruiter and one of the boat's crew were severely injured. Extract of log appended hereto.

On same date, returning islander 12 Bg. "Blowhoey" died. The Government agent states in his log that "every attention has been given this boy, but he was too far gone when he came on board to recover."

Whilst anchored in Havannah Harbour on the 10th December, the French steamer "McGregor" came to anchor, when the services of the ship's doctor were obtained for the men injured the 5th instant. See Appendix A.

On the 1st January, whilst anchored at Port Sandwich, the French steamer arrived, when it was ascertained that recruiter Robertson died in the hospital at Noumea.

On the 23rd January the ship took her departure from Lacona, bound for Bundaberg, carrying 78 recruits, including:—

16	previously employed in	Queensland,
1	"	Noumea,
1	"	Sandwich,
1	"	Fiji,
1	"	Honolulu,
	and 58	strangers to the colony.

On inspection by the health officer at Bundaberg, all the recruits with the exception of three were passed, viz. :—

No. 27.	"Ter wah,"	No. 2 -	-	Tubercular periostitis.
No. 59.	"Ser-ver-tie"	-	-	A nail run into foot.
No. 71.	"Ta hoo"	-	-	Ague cake.

These are sent to hospital and may be passed later on, it would appear, from the doctor's certificate.

The recruits hail as follows:—

Tanna	-	-	-	-	-	13
Api	-	-	-	-	-	43
Mallicolo	-	-	-	-	-	13
Aoba	-	-	-	-	-	1
Ureparapara	-	-	-	-	-	2
Lacona	-	-	-	-	-	6
Total	-	-	-	-	-	78

The Government agent reports that during the trip no returning "boys" were landed at any other than their own islands. (Report, Appendix B.)

The Government agent reports that the ship is in good order and condition.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

EXTRACT.—Government agent's log dated 5th December 1892, working north-west end of Tanna :—

“ About noon the recruiter was backing his boat in to speak to some natives, when a big sea caught the boat and carried her on the reef. The crew jumped out of her to try and launch her again, but another big sea struck her and drove the boat higher on the reef, and in doing so the boat was carried over them all, severely injuring the recruiter and Charlie Tanna, B.C. I took my boat to the rescue, and saved everything but the boat, which was left on the reef. After getting on board I attended to the injured men.”

EXTRACT.—Dated 10th December, whilst anchored in Havannah Harbour :—

“ The French steamer ‘ McGregor ’ came to anchor. Went aboard and got the doctor to come and see our injured men. After having examined Robertson, he said it would be advisable to send him to Noumea by the steamer, which was done.”

EXTRACT.—Dated 1st January 1892, whilst anchored at Port Sandwich, Mallicolo :—

“ French steamer arrived from Noumea ; heard of Robertson's death in the hospital at Noumea.”

APPENDIX B.

Schooner “ Ariel,” Burnet River,
February 2, 1893.

SIR,

THE above-named vessel left Bundaberg November 14th, 1892, on a landing and recruiting voyage to the New Hebrides.

November 29th. Arrived off the west side of Tanna, but unable to work the beach owing to the heavy sea ; ran on and anchored off Black Beach on the lee side, when we commenced landing and recruiting ; left there December 5th and worked towards Sangalee ; in doing so the recruiter had his boat thrown on the rocks, and in trying to launch her again, another heavy sea struck her which caused her to roll over the crew, severely injuring Robertson, the recruiter, and Charlie Tanna, B.C. I took my boat to the rescue and got the injured men and everything belonging to the recruiting boat (except the boat) off to the ship.

December 6th. In working the beach of Sangalee, two white men came to me and said that they, their sister, brother-in-law, and four children were all bad with the fever, and had neither proper food nor medicine, could we take them off and land them somewhere else ?

I took them off to see the captain, who said, with my consent he would take them to Havannah Harbour, as we had to go there for medical advice about the recruiter.

December 10th. The French steamer “ McGregor ” arrived ; we got the doctor on board at once, and, after he had examined Robertson, he said it would be better to send him to Noumea by the “ McGregor.”

After we left Havannah Harbour, we worked our way through the group, landing and recruiting.

January 23rd. The bad weather looking very bad, we left for Bundaberg, where we arrived on the 1st February.

The weather during the latter part of the trip was bad, constantly rain, and very sultry, which caused a lot of sickness among the recruits and ship's company, myself included.

On the passage home we experienced hard north-east to north-west gales, with heavy cross sea and continued rain.

The ship is in good order and condition.

During this trip no return boys were landed at any other than their own islands.

I have, &c.

To the Inspector of Polynesians,
Bundaberg.

WALTER DE VAUX,
Government Agent.

No. 2.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 17, 1893.)

Government House, Brisbane,
March 6, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 29th November 1892,* I have the honour to forward for your Lordship's information the enclosed reports, respecting the 10th voyage of the Pacific Island labour vessel "May."

2. I may add that the delay in forwarding these documents has arisen from my having, in consequence of a report which came to my knowledge, to enquire from the Chief Secretary as to the fitness of Mr. Cecil to serve as a Government Agent.

3. I have, however been recently informed by the Chief Secretary that, after careful investigation, nothing was discovered which appeared to justify the charges made against Mr. Cecil, or to prevent him from being again employed as a Government Agent.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 2.

Chief Secretary's Office, Brisbane,
November 29, 1892.

SIR,

I HAVE the honour to forward herewith, for your Excellency's information, copy of a letter received from the Rev. William Gray respecting the landing from the Pacific Island labour vessel "May," on Erromango, of eight Tanna men, who wished to be landed there and sent on from thence to Mr. Gray's Mission Station on Tanna, also a copy of the report of Mr. Cecil, the Government Agent who accompanied the "May," on the subject which appears to me to be satisfactory.

I have, &c.

S. W. GRIFFITH.

To His Excellency Sir Henry W. Norman, G.C.B.,
Governor.

&c.

&c.

&c.

To the Hon. Sir SAMUEL W. GRIFFITH, K.C.M.G., Q.C., Premier of the Queensland Government.

SIR,

Aniwa, New Hebrides, September 10, 1892.

I WISH to call your attention to an incident in the renewed Kanaka labour traffic of which I wish to complain:—

1. In February last, the labour vessel "Para" landed five "returns" at my station, Weasisi, Tanna. Among these were a married couple who belonged to the opposite side of the island; very shortly after the boats left the shore, the man was murdered.

2. In reporting this incident to your Pacific Island Labour Office I suggested the utmost care in landing "returns" on my side of Tana, the present special risk being due to the recent extensive war on this part of the island. I then also pointed out that natives having wives were always in danger, as without exception such wives are wives of other men.

3. To this communication I received a reply to the effect that Tannese in Queensland wishing to return home would be duly warned of their danger.

4. Immediately after receiving the above reply I was at Anelganhat, Aneityum, where I found the labour vessel "May" was at anchor. At the request of Mr. Cecil, the

Government Agent of the "May," I had an interview with Mr. Cecil and eight Tanna "returns." I understood that, in consequence of my communication to the Pacific Island Labour Office, mentioned above, Mr. Cecil had special instructions concerning these Tanna "returns," and wished to see me about landing them. This interview was on June 9th last. I found that two of the men belonged to a landing two or three miles west from our station, the other six belonged to a place about six or seven miles distant on the north side of Weasisi Bay. But none of them belonged to our landing, which constitutes the dividing line of the recent war. There was great doubt as to the safety of the two men, none as to the safety of the others so long as they were taken to their own landing. The result of the interview was that if the two men did not see their friends on going to land they were to be taken back to Queensland. And I repeatedly told Mr. Cecil to land none of these men at our station on any pretext whatever, as none of them would be safe there.

5. The "May" left for Tanna a few hours after our interview, but apparently could not land any of these men because of bad weather. The "May" went on to Dillon's Bay, Erromango. There the eight men were landed in charge of Mrs. Robertson, the wife of the missionary who was absent at the time, to be sent to Weasisi by the Australian Union Steam Navigation Company's steamer "Croydon," and to be placed in my charge. These men were landed by the "Croydon" at my station on July 27th last. They were simply put ashore with their boxes without a word being said to me. Indeed it was not till a considerable time after landing that I came to know what had happened. Friends came next day for two of the men. The other six men were taken home in my boat and that of a trader, at great inconvenience to us both and with risk to life and property.

6. I have received a version of the circumstances connected with the landing of these men at Dillon's Bay, but there is nothing in the particulars so given that in my opinion justify the course taken in this case by Captain Spence and Mr. Cecil.

7. I now most respectfully complain (a) respecting the risk to life to which these men and the natives who conveyed them home were subjected in being landed at our station at the time in question. (b) Respecting the loss these men suffered. They had constantly to give away their property to pay for the food and favours they received. (c) Respecting the responsibility laid on me to protect and convey these men to their homes, and without being consulted in the matter at all. But for our presence, some of these men might have been murdered, and without our boats six of them could not have got home their property even if they had been able to go home themselves. The sending of the boats inconvenienced both myself and the trader. The disturbed state of my side of the island and the bad weather at the time made the work of taking these six men home dangerous to the lives of our natives and the safety of our boats, for the loss of which neither the natives nor we would be likely to get any indemnity.

8. I earnestly protest against the course of conduct of which I here complain. More than once already have I had to convey natives home who have been landed on islands other than their own. In the past reporting such cases to the Pacific Island Labour Office has had no effect. Hence I take the unusual course of calling the attention of your Cabinet to this case and to my complaint. I am determined, in order to protect myself, should the actions here complained of be repeated, to leave no stone unturned to call the attention of Her Majesty's Government to this and perhaps other evils of the past and present Queensland Kanaka Labour Traffic. May I say, moreover, that it is singularly suggestive that the first ship sent to recruit under the renewed traffic, at almost the first island of call, should perpetrate a prominent abuse in the former traffic, in spite of the emphatic guarantee of yourself that such evils were to be things of the past.

I have, &c.

W. GRAY.

Missionary of the Presbyterian Church of South Australia.

Pacific Island Labour Office, Brisbane,
November 10, 1892.

SIR,

I HAVE the honour to reply to a letter received from Mr. Gray, of Anina-Tanna, touching upon the landing of eight Tanna men, returns per "May" who were landed on Erromango, and who wished to be sent on to Mr. Gray's place at Tanna.

As will be seen by my log, the ship had to go to Dillon's Bay, Erromango, for shelter from a very heavy S.E. gale, which lasted for about four days.

After the gale had abated sufficiently, the master decided to sail for Tanna, but before going away the boys were all called aft and told that the ship was going to Tanna to try and land them.

Upon the event of not being able to land them, they were told that they would be taken back to Queensland. There, for a time, the matter ended. This was about 9.30 a.m. or 10 o'clock.

The master and myself then went ashore on a visit to the missionary's wife, and when we came off again about 12 o'clock, we found that the men in question had settled the question themselves by getting the boats on deck with the intention of going ashore there.

They were called aft after lunch, and the matter again gone into, and on being asked what they wanted me to do for them, they all said that they wanted to go ashore at Dillon's Bay Mission Station.

I again explained that they could go on to Tanna and try to be landed, but they all said they wished to be landed.

Before I agreed to such a thing I went ashore and saw Mrs. Robertson, the missionary's wife, and asked her if it would be convenient for her to receive the boys at the village. Before consenting, Mrs. Robertson said that she would send for the Chief, and see if he could provide huts for these people.

Having seen the Chief, and finding that they would be made comfortable, &c., I had them brought to the shore.

Immediately they landed, I asked them if they wanted to go back to the ship, and try to land at Tanna. They again said that they wished to be landed on Erromango, and then to go by steamer to Mr. Gray's.

The master came ashore with them, and went up to Mrs. Robertson's, and saw her and gave her the money to pay for their passages to Tanna, and also gave to the boys sufficient rice to last them for over a month, which, according to the time supposed to elapse before the steamer would be round, would be more than they would require for their possible stay on the island.

Having seen them to their hut, I walked round the village with Mrs. Robertson and family, and on my way back past the hut I again asked them if they were willing to stay, and they said "Yes."

These boys were landed strictly in accordance with clause 11, Instructions to G. A.'s, page 70.

Touching upon the remarks made by Mr. Gray *re* landing: I saw Mr. Gray on Aneiteum, and he saw the boys, and having spoken to them, told me that only two of them were in any danger "if landed at their own village, unless landed with their own friends."

Referring to the statement, "Repeatedly told Mr. Cecil, &c.," I deny that Mr. Gray told me that they were not to be landed at the station as they would be in danger, but he did say that if he were there they would be safe (and from what I could gather I think the boys would not have landed unless Mr. Gray had been with them). But I do not mean to say by that that Mr. Gray was in any way prepared to receive them, and, again from what I could understand from Mr. Gray, that they all lived close round the immediate neighbourhood of the station.

No. "6" of Mr. Gray's letter. He says he had received a version, &c.

The explanation I have given will, I think, fully satisfy Mr. Gray that neither Mr. Spence or myself acted without due consideration and without the consent of the boys, rather the reverse, as we were in the hands of the boys, for upon the event of taking them back to Queensland I should have been exceeding my duty, as the Act states very plainly that a boy must be only landed if "he expressly wishes it." Now these boys very decidedly expressed themselves on this matter, and they were duly landed.

Upon the subject matter contained in part "C." of No. 7, touching upon the probability of the people getting killed, I cannot speak but of the boat part. I think it looks very like trying to puff up the case, as it is well known that the mission boat is often going from Mr. Gray's to Mr. Watts, and *vice versa*, and as to the copra man's boat all I can say is that it is continually going along the coast buying nuts.

I can easily understand Mr. Gray's writing to Queensland with tone that he has adopted, as he and all the missionaries have determined to do all they can to suppress the labour trade, but I must respectfully submit that I have done nothing to call for censure, or in any way neglected my duty; furthermore, I think the opinion of the Natives respecting their safety in a matter such as this is one that cannot lightly be disregarded, and as they wished to go to Mr. Gray's could not of themselves think that there was any danger in landing at Mr. Gray's.

In conclusion, I must again beg to state that these boys were landed at their own especial request, which facts can be proved by those on board the "May" who had anything to do with the landing.

Of the married couple who landed in February last, I think Mr. Gray ought to remember that the people were landed at their own request and of their own free will, which fact he is perfectly well aware of, as he had three conversations with them before I left for the ship. Had he said after speaking to them that they did not want to land there, or that they had been forced ashore, then I contend that he would have had a case to refer back to, but, as he was willing to receive these people ashore, I again contend that he has only brought up the first case to blacken the second, forgetting that through him I finally left the man and woman at his place.

I again most respectfully submit that I have not abused the trust that the Queensland Government has done me the honour to place in me in landing the boys on Erromango.

One very important fact in connexion with this matter that must not be lost sight of is this: Previous to the "May" leaving Bundaberg for the Islands, all the Tanna boys were cautioned by Mr. Caulfield about the danger that existed in landing on Tanna, on account of the wars that were supposed to be then going on.

This fact alone will show that the boys knew all along what to expect when they reached their islands.

This caution was given them on account of the letter sent by Mr. Gray to the Immigration Department, Brisbane.

To the Immigration Agent,
Brisbane.

I have, &c.

AUBREY C. CECIL,
Government Agent.

SIR, Brisbane, April 12, 1892.

I HAVE the honour to acknowledge the receipt of a letter sent to you from W. Gray, of Weasisi, Tanna.

Your Memorandum I on slip wishing to know "Who is writer?" The writer is the Rev. W. Gray, missionary. He has been there for several years.

Question No. 2. "Why this islander was not landed at his proper village?"

The "Para" arrived off "Sangalee," the district to which the man and his wife belonged, at about 4.30 p.m. on the 21st February, and after requesting the man to point out his place he said he could not do so. After sailing along some distance, the woman thought she saw her passage, and wanted her husband to land there, but he would not, as he said it was not the place that she or he belonged to. They eventually saw their respective passages, but neither would land with the other, and they would not go ashore singly.

As it was getting too late to land that night, the captain said they would have to wait till the morning. This caused them to have words, which ended for a time in blows.

Later on in the evening the man came to me, and said that they would land at Weasisi Mission Station. I told him and his wife that they could be landed at their own passages if they chose. I told them so more than once, but they said that they would land with the other men.

The next morning about 11 a.m. the whole of the Tanna men were landed at the Mission Station landing at Weasisi.

The man and his wife I took up to the missionary for him to see them. I was at the station about an hour, and during that time the missionary and his wife spoke to them

about their landing at Weasisi three times in that time. The missionary's head man also spoke to them, and they said each time that they wished to be landed at Weasisi at their own requests.

Having seen them safely in the hands of their friends, I left.

I must also here mention that had these people wanted to be landed at their own passages they could have been put ashore later on in the day, as the ship had to pass and did pass close to Sangalee on the passage back to Queensland.

I have an idea that the woman said that her proper husband is now in Queensland, and working on one of the northern plantations.

I enclose a letter which I have received from Mr. Gray, which I respectfully ask to have returned to me.

Re the landing of the boys: Mr. Gray mentions that it would be well to see him before landing returns. I may here mention for the information of the Department that there are two missionaries on Tanna; Mr. Gray at Weasisi and Mr. Watts at "Kwimera," and that they are sometimes away on leave, and also at Synod meeting, so that much time might be lost waiting for their return. Mr. Gray's idea is well worth accepting, providing he is at his station when the ships arrive.

I have, &c.

AUBREY C. CECIL, G.A.P.I.

To the Immigration Agent, Brisbane.

P.S.—Neither of these people were recruited at their own passages, so they said.—
A.C.C.

Weasisi, Tanna, New Hebrides,

29th February 1892.

MY DEAR SIR,

I REGRET to have to inform you that about two hours and a half after you left this —22nd inst.—the Sangali man, Yemurhu, whom you landed here with his wife, was murdered by the man who professed to be his friend. The facts connected with the deed are few and simple. The man should have been landed at the first landing west from this. But I did not know this at the time. The people here assured me that all was right. He was being professedly taken to the nearest village when he was shot on the road. The real object of the murder is not yet certain to us. The man's wife was spared. I am glad that you have my signature to your paper, as it is a case in which treachery could not be detected, and the man himself came ashore here willingly. I am reporting the case formally to the head of your Department.

With best wishes, &c.

W. GRAY.

Mr. Cecil, G.A., "Para."

Weasisi, Tanna, New Hebrides,

29th February 1892.

SIR,

I REGRET to have to report the murder of a native landed here by the "Para," on 22nd inst. The man and his wife belong to Sangali. For some reason they were not landed there. The probable reason, though not the one given to me by the Government Agent, was that the murdered man recruited or took at some time another man's wife. It was, therefore, unsafe for him to land at his own place, and he requested to be landed at Weasisi, which embraces at least four distinct landings. I saw the man when he came ashore here, and was quite satisfied that he was among friends. About two and a half hours after landing he was shot by (probably) the man who professed to me that he was Yemurhu's friend.

I do not know if it forms a case to be investigated, but feel it my duty to report the case to you. I should mention that Mr. Cecil (Government Agent) is free from blame as far as the landing here is concerned.

I do not know if it lies in the power of your Department to refuse to land Tannese, but it would certainly be well if no returns were brought home to Tanna for at least another year. The recent war, which still continues in places, has so broken up the old alliances

that no man now knows (coming from abroad) whether he is landing among friends or foes. In any case, I would respectfully suggest that the utmost care be taken in landing "returns." This is especially needful with regard to Weasisi. It would be well if the Government Agent could see me before taking "returns" out of the boat. I will be on the watch for any ships that may come.

Tannese with Tanna wives are always in danger, as without exception these women belong to other men.

F. W. Galloway, Esq.,
P.I.L. Office, Brisbane, Queensland.

I have, &c.
W. GRAY.

Enclosure 2 in No. 2.

Pacific Island Labour Office, Brisbane,
November 15, 1892.

SIR,

RE labour vessel "May," I have the honour to forward herewith

1. A telegram and report* from the Inspector at Bundaberg *re* the Government agent (Mr. Cecil), the landing of some of the returning islanders and the introduction of one of the recruits.

2. A report from Rev. Mr. Gray, missionary of Tanna, *re* the landing of some of the islanders *ex* "May" and Mr. Cecil's reply thereto.

3. The recruit referred to in paragraph 1 is named Tapaynare, No. 18, he was obtained at Severe, Sandwich, on June 29th 1892. Twice he jumped overboard on the 8th of July. A copy of the Government agent's entry in the log referring to this matter is attached hereto. This islander was brought to Queensland, and told the Inspector at Bundaberg that he desired to be returned home, but afterwards he changed his mind and elected to go under agreement to Messrs. A. H. and E. Young. It would now appear that while waiting on board, pending transit to his destination, he swam ashore and absconded.

4. On the 21st July 1892 another islander named Tangpaw, No. 28, who was recruited at Mallicolo, jumped overboard; a copy of the entry in Government agent's log relating to this case is attached hereto. The islander was landed at his island at his own request.

The Under Colonial Secretary,
Brisbane.

I have, &c.
F. W. GALLOWAY,
Immigration Agent.

EXTRACT FROM LOG.

July 8th.

* * * * *

At daylight this morning I was awakened by a great noise on deck, and on going out I found that a man was seen in the water and drifting out to sea. A boat was lowered and sent after him, and when it came back the person was found to be a recruit named "Tapay-anare," No. 18, who was recruited at Severe, Sandwich on June 29, 1892.

After breakfast I had him brought into the cabin, and, in the presence of the master, asked him why he had jumped overboard and what he wanted to do. As he was not inclined to hold any conversation, the services of "George," a boatman who had come into the cabin with him, were made use of. All that could be got out of him was, that if he went to Brisbane he would be locked up. As he would not talk I was compelled to let him go, hoping that later on he would speak. After he had left the cabin he sat on the rail till about 11.30 a.m. when he jumped overboard for a second time and was a second time brought back. When he came back I spoke to him, and told him, in the presence of the recruiter and the hearing of one or more white men and several of the returns and

* Not printed.

recruits, that if he wanted to go back to Sandwich he could go, and that he could go back by the steamer or be landed at the Mission Station in Big Bay, Api. I then arranged with the master to send him back by the steamer, which was expected in a day or so. Shortly before getting under weigh, the steamer was seen coming from Ambrym. He was told by the master that he would be sent back by the steamer to-day. He then said that he did not want to go back to Sandwich. The master came to me and reported the matter to me. I immediately went and saw the boy, and told him that he could go back if he wanted to, as the steamer was coming, when he stated to me that he wanted to go to Bundaberg. He was told several times by the master, his friends, and myself that he could go back, but he stuck to the wish to go to Queensland, which request will be complied with unless he gives any more trouble, when he will be sent back by the steamer or landed at a Mission Station for that purpose.

He is certainly not insane, but is, as far as we can make out, smarting under taunts made by some of the Returns and Recruits about something that he was mixed up in when he was in Brisbane—possibly, a police court affair.

It would not have been safe to have allowed him to land on this part of Api.

EXTRACT FROM LOG.

July 21.

* * * * *

At about 7 p.m. the boy, Tang-Pawn, No. 28, jumped overboard for the purpose of swimming ashore. A boat was sent after him, and he was brought back. When he came on board I asked him what he wanted to jump overboard for, and he said that the missionary teachers who had just left in a canoe told him to jump, and that they would pick him up and take him ashore. I then asked him if he wished to go to Queensland or would he like to be landed here, to which place he belongs. Ten minutes after my interview with him he was landed.

I called upon the missionary and saw him about the statement made by "Tang-Pawn" re his boys. He says that his boat boys had nothing to do with his jumping overboard and furthermore that he is a worthless character. I may here state that the entry in my log of yesterday* explains how he came to the ship. Several canoes from his place were alongside of the ship nearly all to-day, so had he wished he could have gone ashore in any of them. During the day his father came off to see him, and he gave him a quantity of trade as a present.

No. 3.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received April 17, 1893.)

[*Further Despatch, No. 8.*]

Government House, Brisbane,

MY LORD MARQUESS,

March 7, 1893.

WITH reference to my Despatch of the 14th October last,† respecting the Pacific Island labour vessel "Lochiel," I have the honour to transmit, for your Lordship's information, a copy of a report upon the late voyage of this vessel and its enclosures.

The "Lochiel" returned to Bundaberg on the 27th January last.

2. The Chief Secretary has called for explanation as to how the cook and steward came to have access to the spirits, and as to why that part of Regulation 9 which refers to spirits was not attended to. He has ordered Buckland to be debarred from service in a labour vessel. He has also called for explanation as to why the vessel was passed for the service when the boats and yam pots were unserviceable, and he has ordered inquiry as to whether the four islanders who died from phthisis were medically examined and reported on before the sailing of the vessel.

I have, &c.

H. W. NORMAN.

* Tang-pawn came to recruit in a canoe.

† No. 33 in [C.—7000] April 1893.

Enclosure in No. 3.

Pacific Island Labour Office,

Brisbane, February 13, 1893.

SIR, THE return of the labour ship "Lochiel" to Bundaberg 27th ultimo affords me the honour of reporting upon her recent and 17th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient space to accommodate 143 islanders, and licenses were granted to enable the master to recruit that number for three plantations in the Bundaberg district.

Robert Pearn was the Master and Mr. J. E. B. Hammond the Government Agent.

The ship left Bundaberg on the 3rd October last with fifty-six (56) returning islanders on board, and arrived at Anioteum on the 22nd October.

Recruiting commenced at Futurra on 24th October, and was prosecuted throughout the New Hebrides, Banks, Torres, and Solomons Groups, finishing at Malayta January 16th, having occupied 85 days, during which period one hundred and forty-three (143) recruits were obtained, 139 males and four females.

The under-mentioned returning islanders died during the passage, viz. :—

5th October 1892.	No. 35 Mky.	Na-wan-cub.	Tanna.	
8th "	" 39 "	Jege.	Santo.	Phthisis.
9th "	" 10 Bg.	Tasso.	Ambrym.	Every appearance of phthisis.
11th "	" 14 "	Tamma.	Aoba.	Phthisis.

On the 2nd November last, whilst the ship was off the Island of Tanna, a returning islander named "Machalonga," No. 13 B., stabbed Mr. Hammond twice with a knife on the breast and head. Mr. Hammond's report, dated November 6th, with reference to this matter, was forwarded for your information on 22nd of November. A copy of same is attached hereto. Appendix

On the morning of the 17th December, whilst working in shore off Mallicolo, a few shots were fired at the recruiting boat; the boats returned the fire just to scare the natives away, and then made for the ship. No harm appears to have been done on either side.

On the 19th December, the cook and steward was drunk and incapable of doing his work, special report of which is attached to the Government Agent's appended hereto. Appendix

Two (2) returning islanders (Dear Roon, 9 Bg. Ambrym, and Beeat, 21 Mky., Gana) were landed elsewhere than at their proper landing places. From Mr. Hammond's report, they were thus landed at their own request. Extracts from log attached. Appendix

On the 19th January the ship took her departure from Marou Sound for Bundaberg, carrying one hundred and forty-three (143) recruits, including

24	previously employed in Queensland.
3	" " Noumea.
2	" " Sandwich.
3	" " Samoa.

111 strangers in the Colony.

On inspection by the health officer at Bundaberg, all the recruits, with the exception of four, were passed, viz. :—

No. 21.	Yarven.	Tanna.	Rejected as insane.
112.	Lo. asso.	Malayta.	" for old age.
24.	Yamoo.	Tanna.	Sent for hospital treatment.
89.	Bonambo.	Santo.	" " "

I would draw attention to the unsatisfactory condition of the yam pots, two of the ship's boats, and two tanks referred to by the Government Agent in his report.

The Government Agent reports that recruiting was carried on very satisfactorily, and the papers are all in order.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

Vila Harbour, Sandwich,
November 6, 1892.

SIR,

I HAVE the honour to report that on the evening of the 2nd instant, when at anchor off Black Beach, Tanna, Return No. 13 B. "Machalonga," a native of Api (who has appeared very strange for some days past), whilst talking to me on the poop suddenly drew a sheath knife from his shirt, where he had it concealed, and stabbed me over the left breast, inflicting a wound over two inches long. On my wresting the knife from him, I also received a nasty scalp wound. I bled profusely, and was nearly rendered unconscious. The captain and mate dressed my wounds as well as they were able, and we then weighed anchor for Vila to obtain medical assistance. Anchored at noon yesterday, and sent ashore for the doctor, who came off and examined my wounds. He said with two or three days' attention I should be again fit for duty. We have decided to stay here until Monday or Tuesday next. The return is kept in irons, and, unless we fall in with a man-of-war, I intend landing him at his Island, after taking away any knives or tomahawks he may have in his possession. The doctor paid him a visit yesterday, and thought he had the appearance of insanity, but, of course, could not judge by such a short interview. We have 25 recruits aboard, principally Tanna men, and should have done well off Tanna if this unfortunate affair had not occurred.

I have, &c.

To the Immigration Agent,
Brisbane.

J. E. B. HAMMOND,
Government Agent, "Lochiel."

APPENDIX B.

SIR,

Bundaberg January 27, 1893.

I HAVE the honour to report that the labour schooner "Lochiel" left Bundaberg on 3rd October last for the New Hebrides and Solomons Groups with 56 returns on board.

The passage across occupied 19 days, during which time we had fine weather and light winds.

Four (4) return boys died from phthisis shortly after leaving the Queensland coast.

Called at Anioteum October 23rd. Recruited four boys at Futura on 24th; returned to Anioteum on 26th and recruited three boys, leaving for Tanna on 30th. Landed one return at Yerabang, and recruited 19 boys at Sangalie.

On the evening of November 2nd, when anchored at Black Beach, Tanna, I was stabbed by a return boy belonging to Api, who appeared to be out of his mind.

We weighed anchor the same night for Erromanga to seek medical assistance, and after consulting the missionary, Mr. Robertson, who kindly came on board and saw my wounds, we acted on his advice and made for Vila Harbour, Sandwich, to see the French doctor who is stationed there.

After remaining in Vila for five days, Dr. Daville pronounced my wound to be so far healed as to be out of danger.

Bishop Montgomery, of Tasmania, paid us a visit while in Vila.

Spoke the steam-ships "Rockton" and "Croydon" in Vila.

Recruited six boys from Vila Island November 8th. Finally calling at Tanna on 10th, we recruited one boy, landed an interpreter we had on board, and shipped one (1) boatman.

Anchored in Havannah Harbour on the 12th, and lay there four (4) days on account of bad weather.

Anchored at Mona on the 15th and Mai on 16th, where we recruited one boy.

Crossed over to Api on 17th, and landed seven returns at Nancuka, one at Bcorkeah two at Lamenu, and one at Youryar Cove. Recruited 15 in Nelson's Bay.

Landed two boys at Paama on 25th and recruited one.

Landed two boys at Ambrym on 27th and recruited three.

Anchored at Toadstool, Pentecost, on 30th, where we recruited one boy; landed one return at Sinvat on December 3rd. Off Merelaba December 5th; landed nine returns.

Landed seven returns at Aoba and recruited two on the 9th.

Left Aoba for Mallicolo December 13th. Anchored in Port Stanley on 14th, and landed four returns. Afterwards working the South-West Islands, recruited 30 boys.

The boats were fired upon December 17th whilst recruiting at Vow. The fire was returned by the boats. No harm was done on either side so far as I could ascertain.

Left Mallicolo on 17th, and ran round the lee side of Santo, landing six returns and recruiting five.

Anchored at the Double Waterfall, Vanna Lava, on 23rd, and filled up our firewood and water; also landed four returns.

Spent Christmas at Black Beach, Lacoona, where we landed four returns.

Called at Bouka Bouka on 27th and recruited 10 boys.

Arrived off Malayta January 1st, and, working the East Coast so far north as Hooroo, recruited 43 boys and landed one return.

Spoke the "Para" of Brisbane at Port Adams with 84 recruits aboard.

Wood and watered in Marou Sound, Guadalcanar, leaving for home on the 19th with 143 recruits.

I wish to draw attention to the state of the yam pots and two of the boats. The yam pots require new casings and the boats a thorough overhauling. Two of the tanks also require attention.

The recruiting was carried on very satisfactorily. The stores were ample in quantity and good in quality.

To the Immigration Agent,
Brisbane.

I have, &c.

J. E. B. HAMMOND,
Government Agent.

P.S.—24 of the islanders recruited have been working in Queensland before.

"Dear Roon," a native of Ambrym, and "Beaat," a native of Ganna, were landed at places other than their own by request.

APPENDIX B.

SIR,

Bundaberg, January 27, 1893.

I HAVE the honour to draw your attention to a charge of drunkenness I have to report against Joseph Buckland, "cook and steward." He must have made frequent visits to the rum casks before he was found out, as there were over two gallons short when we examined it. Buckland seems to be a very intemperate man, and cannot be trusted where liquor is concerned. I am informed that Mr. Cecil, when Government Agent of the "Para," reported him for obtaining money from the returns. He seems to be a very undesirable man for the trade, and, from what I have heard of him, is quite capable of doing any mean trick.

To the Immigration Agent,
Brisbane.

I have, &c.

J. E. B. HAMMOND,
Government Agent.

APPENDIX C.

Extracts from the Government Agent's Log of cases in which two (2) islanders were landed elsewhere than at their proper villages during the last voyage (17th) of the labour ship "Lochiel."

Name of Proper Village, Island.	Extract from Government Agent's Log, showing where Landed.
No. 9 B. Dear Roon, Ambrym.	Nov. 23, '92.—Was landed at Lamenu at his request.
No. 21 Mky. Beeat, Layon, Gana.	Dec. 4, '92.—Was landed at Merelaba by request.

No. 4.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 17, 1893.)

Government House, Brisbane,
March 8, 1893.

MY LORD MARQUESS,

WITH reference to my Despatch of the 25th November last,* I have now the honour to transmit, for your Lordship's information, a copy of a report respecting the recent and 11th voyage of the labour vessel "Para."

I have, &c.

H. W. NORMAN.

Enclosure in No. 4.

Pacific Island Labour Office, Brisbane,
February 27, 1893.

SIR,

THE return of the labour ship "Para" to Brisbane 23rd instant affords me the honour of reporting upon her recent and 11th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient space to accommodate one hundred and seventy-six (176) islanders, and licenses were granted to enable the master to recruit that number for Goondi in the Geraldton district.

John Mackay was the master, and Mr. A. Thompson the Government agent.

The ship left Brisbane 4th November last, with one returning islander on board, and arrived at Guadalcanar, Solomon Islands, 13th same month. The returning islander was landed at his own village, Feu, 29th November 1892.

Recruiting commenced at Guadalcanar on the 14th November, and was proceeded with through the Solomon group, finishing at Guadalcanar 1st February, having occupied 80 days, during which period one hundred (100) recruits were obtained, 94 males and six females. On the 5th instant, one of the recruits appeared to be insane and was put in irons for safety. An extract from the Government agent's log relating to this matter is appended hereto.

On the 6th instant the ship took her departure from the Solomon Islands for Brisbane, carrying 100 recruits, including—

14 previously employed in Queensland.

4	"	"	Fiji.
7	"	"	Samoa.
2	"	"	New Britain.

and 73 strangers to the Colony.

The recruits hail as follows, viz. :—

Solomon Islands, Guadalcanar	2
Malayta	98
	100

The ship arrived at Brisbane 22nd instant, and all recruits, with the exception of 6, "Tarleah," who has been removed to the Reception House for detention, on the recommendation of the Government medical officer, until the ship returns to the Islands, were passed in good health and fit for plantation work.

No. 10, "Ta-on-fec," wife of 6, "Tarleah," is at present in the Immigration Depôt, where she will remain until the "Para" sails, when she will be returned with her husband.

With regard to Regulation 46, no money was sent by the "Para" this voyage for distribution to relatives of labourers who have died under engagement.

There are no complaints against officers or crew, and the papers are in good order.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

SIR,

Cape Moreton, February 18, 1893.

I HAVE the honour to inform you that the "Para" sailed from Cape Moreton on November 4th, 1892, bound for the Solomon Islands.

We arrived off the South coast of Guadalcanar on November 13th and after a stay of two days, went over to Malayta, and made our first anchorage at Wai Cissi. We remained 75 days on Malayta, working all round the island, and also going through Maramaski Pass. On February 1st we left Malayta for Florida, and after staying three days at that island, proceeded to work our way through the group for home. On February 6th we took our final departure from Moran Sound, Guadalcanar, for Queensland and arrived off Cape Moreton, February 18th, 1893.

The recruits were obtained as follows: from Malayta 98, Guadalcanar two, making a total of 100.

The only Return Islander we had on board was a boy rejected from last voyage and he was landed in good health at his proper passage.

The health of the recruits and white men was excellent throughout the voyage.

There were a few cases of fever but they were very mild. Considering that we were at the Islands all through the hurricane season, we were very fortunate in being so free from sickness.

We had tolerably fine weather on the passage out, and also at the islands, but coming home we were not so fortunate. It was blowing very hard from the north-west when we took our departure from Maron Sound, and continued to increase in violence each day, the wind veering, however, from the north-west to the north-east. On the fourth day from our departure, it became evident that we should have a hurricane; preparations to meet it were consequently made, and at 4 p.m. on February 9th, the vessel was lying "hove to" with oil bags over the weather side. About midnight the hurricane was upon us in full force, and blew with terrific violence, accompanied by heavy rain and a very high sea. However it did little or no damage to us, and after remaining "hove to" for 32 hours, the weather moderated and we once more made sail for home.

When making out the spirits account I found a deficit of over three gallons of rum. It is quite impossible for me to account for this deficiency. The rum came on board in a keg and the manifest states that there were ten gallons of rum in the keg, but I am inclined to think that the statement is incorrect. I do not report this deficiency in the rum because there has been too much spirits used; even taking the quantity I cannot account for and adding it to that really used during the trip, the total only amounts to about one-third of the quantity allowed by the regulations, but, to prevent future mistakes, I strongly advise that all rum be carried in bottles.

On the passage home one of the recruits had a fit of insanity, and had to be kept in irons for a few days; he seems now however to have entirely recovered.

The only vessel that we spoke during the voyage was the "Lochiei" on January 9th at Port Adams, Malayta.

The firearms on board require a thorough overhauling, some of them being useless, and the stands for the yampots require to be renewed, but the boats and vessel are in good order.

While concluding I may state that I have no complaint to make against any of the officers or crew of the vessel.

I have, &c.

To F. W. Galloway, Esq.,
Immigration Agent, Brisbane.

ARTHUR THOMPSON,
Government Agent.

APPENDIX A.

Extract from Government Agent's Log, dated 5th February, 1893. At sea.

"Last night one of the recruits, 6 'Tarleah,' showed signs of imbecility, and was watched all night. This morning he was worse, and at about midday he tried to hit one of the recruits with a large piece of wood. Fearing that he might do some injury, either to himself or to some of the recruits, we put him in irons."

No. 5.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received April 17, 1893.)

Government House, Brisbane,

March 9, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 6th inst.,* and with special reference to paragraph 2 of that Despatch, respecting the case of the return islander who died on board the labour vessel "Ariel," I have the honour to forward, for your Lordship's information, a copy of a letter from the health officer, who examined this islander.

I have, &c.

H. W. NORMAN.

Enclosure in No. 5.

SIR,

Bundaberg, March 2, 1893.

IN reply to your Letter of 25th ultimo, re "Klowhoey," who died on his way home by the "Ariel," I have the honour to report as follows:—

On the 8th November last I examined Klowhoey in the usual way. He was suffering from chronic tuberculosis, and I certified that he was not so ill but that he could stand the voyage, which might be beneficial to him.

There is little doubt, in view of the result, that he contracted an acute attack of his malady subsequently to my examination, which was made six days before he sailed. Klowhoey ardently desired to return to his island, and I considered it the only possible chance of saving his life.

To the Hon. the Colonial Secretary.

I have, &c.

T. H. MAY.

* No. 1.

No. 6.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received April 24, 1893.)

Government House, Brisbane,

March 11, 1893.

MY LORD MARQUESS,

WITH reference to your Lordship's Despatch of the 9th January last,* respecting the rescission of the regulation respecting the chest measurement of Pacific Island recruits, I have the honour to inform you that I have received a letter from my Chief Secretary, expressing his regret at his inability to see his way to recommend at present the substitution of any other test of age and suitability for plantation labour, as suggested in your Lordship's Despatch under reply.

I have, &c.

H. W. NORMAN.

No. 7.

THE MARQUESS OF RIPON to SIR H. W. NORMAN and
SIR J. B. THURSTON.

[Answered by Nos. 19 and 29.]

SIR,

Downing Street, June 16, 1893.

I HAVE the honour to transmit to you a copy of a letter from Mr. A. K. Langridge which appeared in the "Westminster Gazette" newspaper, and to which attention has been called in the House of Commons, commenting on certain statements made by Mr. Rannie, Government Agent of the Queensland labour vessel "Empresa" with respect to the New Hebrides missionaries.

Mr. Rannie's report, in which these statements occurred, was included in the Parliamentary Paper C.—7000 (1893).

I should be glad to receive any report which you are able to furnish upon the matters referred to.

I am addressing a similar Despatch to [the High Commissioner for the Western Pacific] [Governor of Queensland], and propose to publish both replies in the next paper which will be presented to Parliament on the subject of the labour traffic.

I have, &c.
RIPON.

Enclosure in No. 7.

"Westminster Gazette," Friday, 26th May 1893.

THE ALLEGATIONS AGAINST MISSIONARIES.

To the Editor of the "Westminster Gazette."

SIR,

THROUGH absence from home I have only to-day seen your comments in the "Westminster Gazette" of the 18th instant anent the Kanaka traffic, and the alleged serious conduct of the New Hebrides missionaries.

Pending the full inquiry into these statements and charges of the Government recruiting agent that will instantly be demanded, I am sure, in justice to the persons concerned, you will allow me to call attention to two points that to my mind entirely alter the import of the statements made:—

- (1.) The Government Agent does not say that the cases he saw contained beer, but that they were *marked "beer."*
- (2.) It is a well-known fact that grocers are in the habit of sending to the islands the tea, sugar, oatmeal, &c. ordered by the missionaries *packed in old beer and spirit cases.* Let unbiassed minds draw their own inference from these facts.

* No. 17 in [C.—7000] April 1893.

But let me add that already the accusations have reached, unofficially, the ears of Sir John Thurston, the High Commissioner of the Western Pacific, whose function it is to inquire into such matters, and he records his deliberate opinion "that there has been some mistake or misunderstanding," and that "during 30 years experience in the Pacific he has always found these charges to be most trumpery."

With regard to the alleged "neglect of their evangelistic duties" by the missionaries, I am in a position to answer at once, in the case of Mallicolo that the two missionaries (not three) supported on that island (the Rev. Mr. Leggatt and the Rev. Fred Paton, Dr. Paton's son) have *not* left their posts, and that when a retiring missionary lately fell sick, Mr. F. Paton immediately proceeded to the island to relieve him, so that the station should not be left unoccupied. I have little doubt the agent's "Santo story" is equally unreliable.

I close with the opinions of two men eminently qualified to speak.

First, on the subject of the South Sea Missions, Mr. R. L. Stevenson, after visits to 40 islands, and long residence in many, says:—"Missions in the South Sea generally are far the most pleasing result of the presence of the white man.

Second, on the subject of the Kanaka traffic, Sir John Thurston says he regrets its renewal. He fears it will be found practically impossible to recruit labourers in very large numbers and carry out the spirit and letter of the regulations effectively. He dissents entirely from the opinion that has been expressed that the native is benefited by removal from his native home in order to be employed as a plantation labourer; and further, the High Commissioner states that "the effect of the traffic on society in the Islands is demoralising and destructive in the extreme."

I am, &c.

Hartland, Southend, May 24.

A. K. LANGRIDGE.

No. 8.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received June 19, 1893.)

Government House, Brisbane, Queensland,

May 10, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 7th March last,* para. 2, in which I informed your Lordship that the Chief Secretary had called for explanation as to certain occurrences connected with the late voyage of the labour vessel "Lochiel," I have now the honour to transmit, for your information, a copy of the replies to the inquiries raised by Sir Samuel Griffith.

I have, &c.

H. W. NORMAN.

Enclosure in No. 8.

Chief Secretary's Office, Brisbane,

May 6, 1893.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 17th ultimo, and, in compliance with your Excellency's request, to enclose copies of the replies which have been furnished to the inquiries made, by my predecessor's direction, with respect to certain matters connected with the late voyage of the labour vessel "Lochiel."

I have, &c.

THOMAS MACILWRAITH.

His Excellency

Sir Henry W. Norman, G.C.B., &c., &c.,
Governor.

Pacific Island Labour Office, Brisbane,

February 25, 1893.

SIR, In answer to the queries *re* labour schooner "Lochiel," I have the honour to report as follows:—

1. Why Regulation No. 43 was not complied with?

In both cases where returns were landed on islands other than their own they proved relationship, and wished to be landed on that account. In future I will give fuller particulars in my log.

2. As regards the charge of drunkenness against Joseph Buckland, cook and steward.
(a.) Why the cook came to have access to the spirits?

He had access to the storeroom to get out provisions, and must have broached the rum cask, which was kept there, whilst so employed. I should recommend, in future, that all spirits be carried in glass or stone jars.

(b.) Why Regulation 9 was not observed?

The amount of liquor sent abroad for the voyage was 13½ gallons of spirits and two cases of beer, which was considerably less than the quantity allowed by the regulation. The spirits, with the exception of rum, were carried in glass. Six gallons of spirits were brought back. The crew were not allowed spirits, except for medical purposes, and then only by my permission, which was duly recorded in my log.

I have, &c.

To the Immigration Agent,
Brisbane.

J. E. B. HAMMOND,
Government Agent.

Pilot Station, Burnett Heads,

February 28, 1893.

SIR,

In reply to the letter which you showed me to-day *re* "Lochiel" now in our port, I have the honour to inform you that, on the 1st instant, her agents here, W. B. O'Connell & Co., requested me to survey her (as a preliminary survey only, in order to ascertain what repairs, &c., might be required before getting my final one), and this I did (report dated February 2nd, 1893), pointing out in it that the yam pots required recasing, two whale-boats needed repairing, and some other things as well; that report of mine did not reach Mr. Caulfeild from the agent's hands, as I expected it would have done, hence the misunderstanding, for there was no likelihood of her getting a final seaworthy certificate here until the repairs enumerated in my preliminary report were completed.

In conclusion, I may add that everything on board the "Lochiel" was good and trustworthy when she left here on her last voyage, but four months *wear and tear* told upon the boats, and the yam pots too.

I have, &c.

F. Kilner, Esq.,
Harbour Master.

A. NEILL,
Shipwright Surveyor for the Port of Burnett River.

Department of Immigration, Brisbane,

May 2, 1893.

SIR,

In reply to your letter of 25th ultimo, I have the honour to inform you that the four islanders who died on board the "Lochiel" from phthisis were examined at Bundaberg before the departure of the vessel for the islands. Dr. May, the Government Medical Officer, who examined them, certified that the voyage might be beneficial and prescribed the treatment that should be adopted. The copy of his certificate I forward herewith, which by an oversight was not sent to you with Mr. Hammond's report of 25th February last.

I have, &c.

The Under Colonial Secretary.

F. W. GALLOWAY,
Immigration Agent.

"THE PACIFIC ISLAND LABOURERS ACTS, 1880-1892."

Government Medical Officer's Certificate.

I, Thomas Henry May, Government Health and Medical Officer at the port of Bundaberg, do hereby, in accordance with Regulation 15 of the regulations made under the above Acts, certify that proper provision has been made for ventilation in the

labour ship "Lochiel," and that the ship has on board a modern and approved medical work on the treatment of diseases, and also a proper supply of medicines, medical comforts, instruments, and other appliances necessary for diseases or accidents incidental to a sea voyage, and for the medical treatment of the passengers as required by the 12th section of the "Pacific Island Labourers Act of 1880."

2. And in accordance with Regulation 42, I append hereto a report in detail upon the health of the returning islanders, specifying what islanders, if any, are suffering from disease, and directing generally the treatment to be followed with respect to them during the voyage.

T. H. MAY,

Government Medical Officer.

I HEREBY certify that, as required by Regulation 42, I have examined sixteen (16) islanders returning by the labour ship "Lochiel." As the result of my examination, I have to report that all these islanders are in good health, with the exception of those mentioned hereunder, who are suffering from the disease set against their names, and should be treated during the voyage as directed hereunder.

Name.	Disease.	Treatment.	Whether Voyage would be injurious or otherwise.
More (Boar)	Tuberculosis	Nourishing food and cough mixture, if required.	Might be beneficial.
Dearcor	Do.	Do. do.	Do.
Tasso	Do.	Do. do.	Do.
Tom (Machalonga)	Do.	Do. do.	Do.

T. H. MAY,

Government Medical Officer.

No. 9.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received June 27, 1893.)

Government House, Brisbane, Queensland,

May 18, 1893.

MY LORD MARQUESS,

WITH reference to my Despatch of the 6th March last,* I have the honour to transmit, for your information, a copy of a report by the Immigration Agent upon the late voyage of the labour ship "May," which returned to Brisbane on the 15th ultimo.

I have, &c.

H. W. NORMAN.

Enclosure in No. 9.

Pacific Island Labour Office, Brisbane,

May 5, 1893.

SIR,

THE return of the labour ship "May" to Brisbane, 15th ultimo, affords me the honour of reporting upon her recent and eleventh voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient space to accommodate one hundred and fifty (150) islanders, and licenses were granted to enable the master to recruit that number for two plantations in the Bundaberg district.

W. Spence was the master, and Mr. F. Gooding the Government Agent.

The ship left Bundaberg on the 26th November last, having no returning islanders on board, and arrived at Aneiteum on 18th December following.

Recruiting commenced at Tanna, 23rd December, and was proceeded with throughout the New Hebrides and Solomon Groups, finishing at Sandfly Pass on 25th March, having occupied 114 days, during which period 103 recruits were obtained, 100 males and 3 females.

On 21st January recruit No. 3, "Lasie," died from dysentery, after a few days' illness, the treatment of the case having been in accordance with the medical guide. On 12th April, No. 6, "Noretá," died also from dysentery suddenly, after three days' illness; the medicine given in this case was prescribed by Dr. Lamb, of Ambrym, New Hebrides.

The ship left Sandfly Pass on 29th March for Queensland, carrying 101 recruits, who hail as follows:—

New Hebrides	-	-	-	29
Solomons	-	-	-	72
				101 including

18 previously in Queensland,

1 " " Noumea,

2 " " Fiji, the remainder being strangers in the Colony.

Islander 47, "Ballowah," Malayta, died on board the ship the second day after its arrival in Brisbane. The Government Medical Officer (Dr. Tilston) certified that his death was caused by dysentery.

On the 17th ultimo, all the islanders were passed by the Government Medical Officer, with the exception of 29, "Omoy," Apie, who was suffering from debility, and 79, "Bobbolue," Malayta, suffering from consumption.

With regard to Regulation 46, no money was forwarded by the "May" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

Ninety-five of the Islanders were placed on agreement to Messrs. Young, of Bundaberg, and three, "Lewin," 14, "Kamay," 25, and "Buggarooof," 21, have been sent to Brisbane Hospital suffering from dysentery.

The Under Colonial Secretary,
Brisbane.

I have, &c.

F. W. GALLOWAY,
Immigration Agent.

No. 10.

LIEUT.-GOVERNOR SIR F. M. DARLEY (NEW SOUTH WALES) to the
MARQUESS OF RIPON.

(Received June 27, 1893.)

MY LORD,

Government House, Sydney,

May 19, 1893.

IN acknowledging the receipt of your Lordship's Despatch of 9th March last,* respecting a report by the Government Agent of the recruiting vessel "Foam," belonging to Queensland, respecting abuses in the labour traffic alleged to have been committed by Captain McLeod, of the "Mary Anderson," and suggesting that an inquiry should be held into these allegations, I have the honour to inform your Lordship that the Colonial Secretary has informed me that "the schooner 'Mary Anderson,' of which Captain McLeod was master, was licensed on 30th April 1892, and the license was cancelled on 21st November last, so that there does not appear to be any necessity now for such inquiry."

I have, &c.

FREDK. M. DARLEY,
Lieutenant-Governor.

* No. 42 in [C.—7000] April 1893.

No. 11.

A. K. LANGRIDGE, Esq., to COLONIAL OFFICE.

[Answered by No. 12.]

"Hartland," Wilson Road, Southend, Essex,

July 8, 1893.

SIR,

DR. JOHN G. PATON has just sent an energetic and characteristic reply to the accusations against New Hebrides missionaries published in the recent Blue Book on the Kanaka Traffic.

The venerable missionary asks me to forward a copy to you, in the earnest hope that in future such references may be eliminated from the Queensland agent's reports before publication in this country.

The accompanying magazine * also deals with the matter. With every confidence in your kind interest,

Believe me, &c.

A. K. LANGRIDGE.

Sydney Buxton, Esq., M.P.

Under Secretary for the Colonies.

Enclosure in No. 11.

The BLUE BOOK and the NEW HEBRIDES MISSIONARIES, by Dr. JOHN G. PATON.

I AM exceedingly sorry to hear that in a Blue Book lately published in Britain, under sanction of the Colonial Secretary, there is an attack upon our devoted self-sacrificing missionaries in the South Sea Islands, for "selling rum, beer, and firearms"; and for being so much "away from their stations" on holiday—pleasure seeking, while the Romanist "Fathers" are praised. In reply I say:—

There is not a shadow of foundation in truth for such charges. The father of lies could not have invented anything more false. Not a missionary on the New Hebrides has ever been engaged in trade of any kind on the islands, or in any mercantile pursuit whatever. It is against the laws of our mission for any of our missionaries to engage in any trade with the Natives, and if anyone did so he would certainly be expelled from our mission. Each missionary by solemn engagement is bound to spend his whole time and energies in the spiritual work of the mission, acquiring and reducing to a written form the unwritten languages of the Islanders among whom he is placed, translating the Holy Scriptures and other books into them, organising schools, and teaching the Natives to read and write, &c., and preaching the blessed Gospel to them in their own languages, all arduous but much needed work in advancing their Christian knowledge and civilization, in leading them to love and serve Jesus Christ as their God and Saviour.

Every one of our missionaries is a total abstainer from all intoxicating drinks, and does all he can by example and moral suasion to lead every Islander and all others to abstain from such drinks and from all evil. Hence, for example, when I left the islands three years ago to try and get more missionaries, every member of my church was a voluntary total abstainer, and on the best authority I am informed they continue so. The Chief, who is an elder of the church, and his leading advisers, have resolved that, so far as they can prevent it, no intoxicating drink of any kind shall enter the island. Thus they set a noble example to all in keeping the youth and weak from temptation, and especially to the intemperate vicious slavers, or Kanaka labour traffickers, on the group, who say we missionaries spoil the Natives. Would that the whole world was so spoiled in being led by the teaching of Jesus to rise to a platform of Christian devotion, on which, by divine grace, they can resist temptations and show all how they fear and serve God.

As the aforesaid attack and misrepresentations are in the spirit and style of the Godless Kanaka labour traffickers, it has probably been inspired by them, or by the French traders, who are also our natural enemies on the islands.

Instead of our missionaries selling "rum and firearms" to the Islanders, they and the churches supporting them, have sent me to America, pleading with its excellent President, Congress, and Christian people, if possible, to get America to unite in the British prohibition of intoxicants, opium, and firearms as trade, by traders, with our Islanders, on account of their demoralising, ruining influence. The other nations interested on high moral grounds have said they will agree with Britain in this prohibition if America agrees to it. But, as America has hitherto refused to agree to it, these curses

of humanity, used by all traders there except the British, are causing much misery and loss of life among the remaining cannibals who should never have firearms, particularly when maddened with rum and brandy. The whole responsibility of all these evils and murders by intoxicants for some years now has appeared to rest on Christian America. But her good President and those under him are now re-considering the whole question, and we hope God will lead him and them ere long to enter this clamant prohibition, and lead all the powers interested for humanity's sake to agree, and so save our dear Islanders from extermination through the greed of gain at any cost of Godless traders.

And now as to the second count, that our missionaries are much away from their stations on holiday—pleasure seeking. This is equally false. From the unhealthy debilitating nature of the tropical damp climate of the New Hebrides, and the ague and fever to which we and our children are all there exposed, every missionary is allowed three months' leave of absence once every five years, and 12 months at the end of every 10 years he is on the islands. Not, however, for pleasure seeking, but under the mission committee of the church supporting him. As they arrange, he conducts daily meetings, pleading the cause of the mission in their congregations and Sabbath schools, and raising money for the support and extension of the work. Not pleasure seeking, but a change of work, climate, and society, in continuous work for the mission till his furlough expires and he and his return to the Islands. Some of our missionaries, for fear of losing time from their work on the Islands, used not to avail themselves of their well merited furlough—I for one, but our societies found that the change was essential to save the missionary losing far more time by rheumatic or other fevers, and they now insist on every missionary leaving the islands when his periods of furlough return. Again, if a missionary, his wife, or any of his family's health break down so that he is unfit for work, he must go from 1,400 to 1,800 miles away to Australia for change and medical treatment. We have now 18 missionaries and their families in our mission, and so almost yearly during the wet, unhealthy season someone is likely to be absent on his legal furlough, but no one is ever absent on holiday—pleasure seeking. The Blue Book attack manifests a very different spirit from that which thinketh no evil.

Third. As to the "Fathers," Roman Catholic priests on our islands, whom the agent praises in the Blue Book. It is a historical fact that Frenchmen and their Romish priests did not try to come and settle on our New Hebrides Islands while their lives and property were in danger. With covetous eyes they looked on at a safe distance, and left us British Presbyterian missionaries to struggle on doing the pioneering, difficult dangerous work, in which six of our number lost their lives, and a number of our first converts, and Native teachers were also murdered by the savages, and station after station broken up and plundered by them, and in which work the sainted Bishop Pattison, of the Church of England Mission, was also murdered in revenge for the wickedness of the Kanaka labour traffickers, who, to deceive the Islanders, personified him. But when by continued perseverance in God's work by us, through the teaching of Jesus Christ, He had made life and property safe on 20 islands, and comparatively safe on the whole group, and given us about 15,000 converts, the French followed, hoisted their flag, saluted it, placed armed soldiers and marines in charge of it, and virtually took possession of the group. And for what? To make it a great penal settlement at the door of Australia. The French Senate had resolved to place 100,000 of France's most degraded criminals on the New Hebrides as free men and women, to live as they could, and go where they would, on the one condition that they did not return to France. Australia was alarmed at this, as she had hundreds of French convicts already in her prisons for crimes they had committed since coming from New Caledonia to Australia. At last, by united Australia's protest and Britain's influence, the French had to give up their scheme for a time and withdraw their soldiers from our islands. A few French settlers remained on our islands, and priests were apparently settled on the group as political agents to try and do for France what she had failed to do by her soldiers, getting possession of the land and promoting French interests, so as to give her a claim to annex the group. But their "Fathers," though backed by the frequent visits of French men-of-war, have gained no footing on the islands, but are hated by the Natives. They are supplied with rations and wine from New Caledonia, and by every pretence lay claim to the lands of the Natives. But they do no spiritual work except if they hear of a savage dying whom they have never seen before. They get a thick black cotton rope tied round their neck and person, to which is fastened a large black cross, and a coloured lad, probably from New Caledonia, walks before them, also carrying a large black cross, to the house of the dying person, when, if possible, they administer extreme unction to him, and such are reported as their converts. But as a white neighbour of theirs expressed it to me, their converts are all in their graves." Of course, in writing home they do not tell

this; the number of their so-called converts gratifies the vanity of the French, and gives them an additional claim to annex the group to France. Fearing this, the Natives all hate the French, and earnestly plead for British annexation and protection from the cruel treatment they now receive on all sides by such traders and oppressors. We missionaries also grieve over their many wrongs, as God by His grace has given our Presbyterian mission some 15,000 converts who try to love and serve Jesus Christ, and about 70,000 beyond, who are all pleading for the missionaries and teaching of Jesus from us. Once when I was at Waice, on the Loyalty group near us, the French Commandant called there, and saw a large number of casks of cocoa-nut oil on the shore ready for shipment. They belonged to the "Fathers," who durst not claim them, as they were complained of as having all the trade in their hands; so the rulers, finding such a prize on French possessions without an owner confiscated all, taking them away in his vessel. Of course, he knew the owners, and his conduct caused much amusement. But surely things are changing rapidly in dear old Britain, when so soon after Baron de Worms' attack publicly on men for exposing the cruelties and atrocious murders in the Queensland Kanaka Labour Traffic, a Colonial Secretary can publish in a Blue Book such a slanderous attack on Protestant British missionaries who, with self-sacrificing lives, from love to Jesus in seeking the eternal salvation of perishing cannibals, exercise great self-denial, enjoy few of the comforts of life, where they and their children are often stricken down with fever, and who, when their children are about eight years of age, have to send them at least 1,400 miles for their health and education. I say, what, except love to God and a burning desire to save the perishing heathen, could induce our highly-educated missionaries and their wives so to live and labour? But our great joy is to see God use us there in translating the Scriptures into 16 new languages, and in teaching the savages to read and understand them in their own tongues, and thus, by the Holy Spirit's teaching, see individual after individual, family after family, tribe after tribe, and island after island renounce all heathenism, and live in the service of our dear Lord Jesus Christ, and some 70,000 more so led to plead for the teaching of Jesus as our whole field is now white to the Lord's harvest. Evidently the Blue Book favours the old persecuting faith, with a mind closed to all good done by Protestant missions, and, as inspired by Rome, believing any delusion coming from the "Fathers." But I hope the honour of Britain, and the zeal and faithfulness of our British Protestants, will not allow such false accusations to remain uncondemned in a Blue Book. I defy the writer to produce one reliable witness to prove his statements and be correct, whereas from the best sources I could produce hundreds—yes, thousands, to prove they are utterly false. Yet, false as they are, appearing in a Blue Book by a Colonial Secretary, they have been, and no doubt will be, used by many enemies of the Lord's work and by periodicals unfriendly to it, to shake the confidence of people in our mission and curtail its support, and to damage Protestant missions generally. Should any man, so destitute of honour, justice, and truthfulness, inspired by Rome, be allowed to utter such lies under sanction of a Colonial Secretary?

JOHN G. PATON, D.D.,

Senior Missionary, New Hebrides Mission, and Agent
of the Federal Assembly of the Presbyterian
Churches of Australia and Tasmania.

Bradford, Canada.

No. 12.

COLONIAL OFFICE to A. K. LANGRIDGE, Esq.

SIR,

Downing Street, August 1, 1893.

I BEG to acknowledge the receipt of your letter of the 8th ultimo,* transmitting some observations by the Rev. Dr. John G. Paton in connexion with certain remarks on missionaries in the New Hebrides contained in a recent Blue Book on Polynesian Labour in Queensland.

Lord Ripon has given directions that Dr. Paton's observations should be printed in the next Blue Book on Polynesian labour.

You will, no doubt, have observed, from my reply to Mr. Samuel Smith's question in the House of Commons on the 6th ultimo, that it was intended to transmit copies of your letter addressed to the "Westminster Gazette" on the 26th of May to the Governor of Queensland and to the High Commissioner for the Western Pacific, and to include it in the next paper given to Parliament.

I am, &c.

SYDNEY BUXTON.

No. 13.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received August 7, 1893.)

MY LORD MARQUESS, Government House, Brisbane, June 24, 1893.

I HAVE the honour to enclose, for your information, six copies of the Report of the Immigration Agent for Queensland on Pacific Island Immigration for the year 1892.

2. As your Lordship is aware, the law repealing the law of 1885, which stopped the introduction of Islanders to this Colony, was only passed on the 14th April 1892, and from the report, it appears that between that date and the 31st December following, 11 vessels were licensed to recruit and to take back return Islanders, but only six of these vessels returned to Queensland during the year. These six vessels brought 464 Islanders, 14 of whom were women. Ten of the vessels which left Queensland to recruit took back 829 return labourers.

3. The Report shows that 151 of the labourers recruited had been previously employed in Queensland, or about a third of the whole number, while 39 had been employed in Samoa, Fiji, Noumea, and the Sandwich Islands. This circumstance shows that the Islanders generally must know the conditions under which they come to serve in Queensland, and that the service is not unpopular.

4. On the whole the service seems to have been carried out satisfactorily, but owing to the difficulty of knowing the exact number of Pacific Islanders in the Colony, as shewn under Section 4 of the Immigration Agent's Report, the mortality return is defective and does not show the proportion of deaths to persons. The decrease of deaths from 483 in 1891 to 315 in 1892 is, however, satisfactory, and I shall endeavour to obtain more precise information as to the mortality hereafter. It is, however, certain that the Pacific Islanders have not strong constitutions as a rule, and are apt readily to succumb to certain diseases, not only in Queensland, but, I believe, also in their own Islands.

5. The sum at credit of the Islanders in the Savings Bank is shown to be 18,641*l.* 19*s.* 5*d.*, belonging to 2,685 Islanders, but my observation leads me to think that many Islanders make purchases to a considerable amount in Queensland, of articles which they take back with them to the Islands for sale or use.

6. As your Lordship is aware, the whole of the operations for recruiting Pacific Islanders, for their care while in Queensland, and for their return to the Islands, are carefully watched, and any defects that come to light will, I am sure, be promptly attended to by this Government.

I have, &c.

H. W. NORMAN.

Enclosure in No. 13.

PACIFIC ISLAND IMMIGRATION.
(Annual Report of Department of).

To the UNDER COLONIAL SECRETARY, Brisbane.

Pacific Island Labour Office,
Brisbane, May 23, 1893.

SIR,

FOR the information of the Honourable the Chief Secretary, I have the honour to present a report upon the working of this department of the Public Service during the year ending 31st December 1892.

1.—RECRUITING OF LABOURERS.

The eleventh section of "The Pacific Island Labourers Act, 1880, Amendment Act, 1885," limiting the period for the introduction of Islanders to Queensland to 31st December 1890, having been repealed on the 14th April last by the fifth section of "The Pacific Island Labourers (Extension) Act of 1892," 11 vessels were licensed during the remainder of the year to recruit and return islanders.

These vessels had a total registered capacity of 2,138 tons, and certified accommodation for 1,238 labourers. They were despatched as follows:—

	No. of Ships.	Tonnage.	Accommodation.
Brisbane	2	504	352
Maryborough	2	298	106
Bundaberg	5	950	621
Townsville	1	236	159
Mackay	1	150	116
Total	11	2,138	1,354

Of the 11 ships licensed to recruit islanders only six returned to Queensland during the year. They had accommodation for 681 islanders and brought back 464, namely, 450 males and 14 females. Of these, 151 had been previously employed in Queensland and 39 in Samoa, Fiji, Noumea, Sandwich, and Honolulu. They were recruited at the following groups:—

New Hebrides	172
Banks	49
Torres	8
Solomons	235
Total	464

And were introduced for labour in the following districts:—

Maryborough	39
Bundaberg	220
Mackay	53
Ingham	152
Total	464

The time occupied by the voyages was from 72 to 161 days, the average being 115½ days.

The vessels despatched as under obtained labourers for the districts named:—

Brisbane	Ingham and Geraldton.
Maryborough	Maryborough and Bundaberg.
Bundaberg	Bundaberg.
Townsville	Mackay, Ingham, and Geraldton.

Recruiting was carried on with little opposition; the boats were fired on once by the natives but no harm was done.

2.—DEPARTURE OF LABOURERS.

The total number of islanders who returned to their islands during the year was 829, viz., 769 males and 60 females. They were carried by 10 ships. The greatest number taken by one ship was 174, and, and the smallest, 1, the average being 82.

The following are the islands to which these people belonged:—

New Hebrides	440
Banks	44
Torres	41
Solomons	304
Total	829

3.—MORTALITY.

The reports show a decrease of 161 in the number of deaths as compared with last year.

The deaths reported to the Department for the past six years are as follows:—

1887	520	1890	417
1888	482	1891	483
1889	481	1892	315

The districts in which the deaths of 1892 occurred were—

Brisbane and Beenleigh	15
Maryborough	23
Bundaberg	114
Rockhampton	2
Mackay	104
Townsville	22
Ingham	13
Geraldton	18
Cairns and Port Douglas	4
	<u>315</u>

Payment to Relatives of Islanders who have died during their term of Service.

In accordance with section 6 and regulation 46 of "The Pacific Island Labourers (Extension) Act of 1892," the Minister has authorised the sum of 193*l.* 3*s.* 10*d.* to be expended in the purchase of goods for deceased islanders' relatives, at their native islands.

This sum being part of the wages due to deceased islanders and part of money lying to their credit in the Government Savings Bank from the date the Extension Act came into force till the end of the year, the various Government Agents sailing in labour vessels to the islands were instructed to find out the relatives and expend the money in the purchase of goods from the ships' stores for them, but, owing to the difficulty in obtaining satisfactory proofs of relationship, out of 42 cases in only seven were relatives found and goods to the value of 26*l.* 15*s.* 4*d.* supplied to them.

4.—LABOURERS WITHIN THE COLONY.

It is impossible to give the exact number of Pacific Islanders within the Colony, as some of them are of a roving disposition and travel beyond the range of inspectors, who are therefore unable to include them in their annual return.

The number of islanders in the respective districts, from estimates compiled by the respective inspectors, as at 1st January 1893, was as follows :—

	1892.	As compared with previous Year.	
		Increase.	Decrease.
Brisbane (say)	150	—	50
Beenleigh	81	—	49
Maryborough	624	48	—
Bundaberg	2,822	54	—
Rockhampton	124	6	—
Mackay	2,102	—	348
Bowen	24	—	5
Townsville	536	—	143
Ingham	725	—	189
Geraldton	349	—	94
Cairns	142	—	78
*Thursday Island	300	200	—
	7,979	308	956

1st January 1892 8,627
Decrease - 648

1st January 1893 7,979

These returns include "exempts," those under agreement, also those "walking about."

* Engaged in Bécho-de-mer and Pearl-shell Fisheries.

As affording some idea of the number of agreements entered into by islanders, and the work thereupon devolving on the respective inspectors, a schedule of agreements made during the year is given hereunder :—

Districts.	New Introductions.		Re-agreements.		Transfers.		Total.	
	Sets.	Names.	Sets.	Names.	Sets.	Names.	Sets.	Names.
*Brisbane	5	203	24	113	1	12	30	328
Beenleigh	—	—	35	78	—	—	35	78
Maryborough	—	—	126	212	—	—	126	212
Bundaberg	15	219	548	1,073	—	—	563	1,292
Rockhampton	—	—	22	51	—	—	22	51
Mackay	—	—	371	876	6	17	377	893
Bowen	—	—	4	4	—	—	4	4
Townsville	—	—	21	101	—	—	21	101
Ingham	—	—	100	257	1	52	101	309
Geraldton	—	—	27	69	1	50	28	119
Cairns	—	—	27	101	—	—	27	101
	20	422	1,305	2,935	9	131	1,334	3,488

Facilities are afforded islanders to place their money in the Government Savings Bank through the inspectors. On reference to Appendix B, it will be seen that in this way a sum of 18,641*l.* 19*s.* 5*d.* was in the bank at 31st December 1892, to the credit of 2,685 Islander.

5.—THE STAFF OF THE DEPARTMENT.

Consisted of the following :—

The Immigration Agent.

2 clerks in Chief Office, Brisbane.

4 inspectors, viz., Maryborough, Bundaberg, Mackay, and Townsville.

2 clerks and assistant inspectors, 1 each at Bundaberg and Mackay.

5 inspectors holding other offices, viz., health officer at Rockhampton, and the police magistrates at Beenleigh, Ingham, Geraldton, and Cairns.

8 Government agents.

The Government agents rank as follows :—

Permanent Staff.

At the beginning of the year there were on the roll, 5; appointed during the year, 3; at 31st December 1892, 8.

6.—THE PACIFIC ISLANDERS' FUND.

A summary of the operations of this fund will be found on Appendix A. The net increase of the fund during the year has been 4,425*l.*, and arises as follows :—

	£	s.	d.
Introduction fees have exceeded the expenditure on account of general purposes by	351	3	7
Return passages account for	2,598	0	0
Deceased islanders netted	1,319	14	3
Fines produced	116	13	7
Sundries	39	8	7
	<u>£4,425</u>	<u>0</u>	<u>0</u>

A sum of 364*l.* 13*s.* has been collected by this Department as duty on agreements and bonds and paid over to Stamp Office.

* These represent agreements made through head office for labour in other districts, viz. :—

Brisbane	50
Beenleigh	10
Bundaberg	53
Mackay	65
Ingham	150
	<u>328</u>

The ledger balances stand as follows:—

	Cr.	£	s.	d.	£	s.	d.
Return passages	-	-	26,061	10	6		
Deceased islanders' estates	-	-	29,141	6	8		
Fines	-	-	714	11	0		
						55,917	8 2
	Dr.						
General purposes	-	-	11,241	5	10		
Hospitals	-	-	21,003	7	4		
						32,244	13 2
Balance, 31st December 1892	-	-	-	-	-	£23,672	15 0

I have, &c.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

SUMMARY of OPERATIONS of the PACIFIC ISLANDERS' FUND for the YEAR ending
31st DECEMBER 1892.

RECEIPTS.

	£	s.	d.	£	s.	d.	£	s.	d.
Balance at 31st December 1891	-	-	-	-	-	-	19,247	15	0
Return passages	-	-	4,080	0	0				
Less refunds	-	-	1,482	0	0				
						2,598	0	0	
Deceased Islanders' estates	-	-	1,447	12	2				
Less payments	-	-	127	17	11				
						1,319	14	?	
Depôt accounts	-	-	-	-	-	13	12	1	
Fines	-	-	119	3	7				
Less remissions	-	-	2	10	0				
						116	13	7	
Capitation money	-	-	4,779	0	0				
Less refunds	-	-	525	0	0				
						4,254	0	0	
Hospitals	-	-	-	-	-	25	16	6	
									8,327 16 5
									£27,575 11 5

EXPENDITURE.

	£	s.	d.	£	s.	d.
Salaries:—						
Head office and inspectors	-	-	1,434	11	8	
Government agents	-	-	1,508	6	8	
						2,942 18 4
Contingencies:—						
Inspectors' expenses, forage, &c.	-	-	429	3	9	
Government agents' expenses	-	-	43	18	8	
General expenses and postage	-	-	173	4	8	
Care of destitute islanders	-	-	147	11	0	
Miscellaneous	-	-	130	0	0	
Clerical assistance	-	-	36	0	0	
						959 18 1
						3,902 16 5
Balance at 31st December 1892	-	-	-	-	-	23,672 15 0
						£27,575 11 5

APPENDIX B.

SUMMARY of SAVINGS BANK OPERATIONS of PACIFIC ISLANDERS for the YEAR 1892.
(Through the Inspectors.)

	Brisbane.	Beenleigh.	Maryborough.	Bundaberg.	Rockhampton.	Mackay.
	£ s. d. *198	£ s. d. *108	£ s. d. *131	£ s. d. *690	£ s. d. *38	£ s. d. *1,271
Balance at 31st December 1891 -	3,789 9 8	1,074 14 11	1,003 10 5	3,284 0 3	494 1 6	5,250 6 9
Received from islanders and lodged in Bank during the year -	581 11 10	380 12 5	428 18 6	1,917 13 6	548 1 8	4,258 5 3
Withdrawn from Bank and paid to islanders, or in case of decease to the Pacific Islanders' Fund, during the year -	†1,061 2 3	175 18 1	403 6 9	1,544 0 1	192 14 8	3,523 5 3
Difference -	479 10 5	204 14 4	19 11 9	373 13 5	355 7 0	735 0 0
	*179	*115	*130	*657	*44	*1,023
Balance at 31st December, 1892 -	3,309 19 3	1,279 9 3	1,023 2 2	3,657 13 8	849 8 6	5,985 6 9

	Townsville.	Ingham.	Geraldton.	Cairns.	Total.
	£ s. d. *81	£ s. d. *537	£ s. d. *263	£ s. d. *118	£ s. d. *3,435
Balance at 31st December, 1891 -	420 2 6	2,611 1 0	888 0 7	430 17 9	19,246 5 4
Received from islanders and lodged in Bank during the year -	480 12 3	1,423 0 2	533 9 8	135 19 0	10,682 4 3
Withdrawn from Bank and paid to islanders, or in case of decease to the Pacific Islanders' Fund, during the year -	277 12 3	†2,937 18 6	†662 5 1	†508 7 3	11,286 10 2
Difference -	203 0 0	1,514 18 4	128 15 5	372 8 3	604 5 11
	*145	*199	*183	*10	*2,685
Balance at 31st December, 1892 -	623 2 6	1,096 2 8	759 5 2	58 9 6	18,641 19 5

* These figures indicate the number of current accounts.

† In these cases the withdrawals exceeded the deposits.

No. 14.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received August 28, 1893.)

Government House, Brisbane,

July 17, 1893.

MY LORD MARQUESS,

In continuation of my Despatch of the 24th January* last, in which I transmitted a license and other documents, respecting the labour vessel "Empreza," I have

* No. 44 in [C.—7000] April 1893.

now the honour to transmit a copy of a report which I have received from the Immigration Agent respecting her late voyage.

2. The "Empreza" having been severely damaged in a hurricane has not yet returned to Queensland, and I regret that the report shows that there was a serious mortality from dysentery both among the return islanders and the recruits.

I have, &c.

H. W. NORMAN.

Enclosure in No. 14.

Department of Immigration,
Pacific Island Labour Branch,

SIR, *For the purpose of the report on the voyage of the "Empreza" to the Pacific Islands, July 1, 1893.*

THE return to Brisbane of Mr. Cecil on the 24th ultimo affords me the honour of reporting on the circumstances in connexion with the recent and second voyage of the labour vessel "Empreza" under the "Pacific Island Labour Acts."

The ship was certified to have had sufficient accommodation for 159 islanders, and licenses were granted to enable the master to recruit 139 for plantations in the Cairns, Ingham, and Townsville districts.

F. F. Malcolm was the master, and Mr. A. C. Cecil the Government agent.

The ship left Brisbane on 14th January last, having 152 returning islanders on board, and arrived at Aneiteum 30th of same month.

Recruiting commenced at Aneiteum 31st January, and was prosecuted in the Hebrides Group, finishing at Vila Harbour May 26th, having occupied 116 days, during which period 32 recruits were obtained.

The under-mentioned returning islanders died during the passage:—

23rd January	No. 1. Mky, "Tomato"	Aoba	Phthisis.
27th "	92 Tville, "Okolama"	Tanna	Inflammation of bowels.
17th February	Child care, "Rennisie," F. 16	T'ville	Dysentery.
19th "	31 T'ville, "Wawamimu"	Lacon	Acute dysentery.
28th "	84 " "Younglater"	Buka Buka	Dysentery.
" "	Child of "Charlie," C. 8	"	"
6th March	C. 10, "Ye Yangoom"	S. Torres	"
22nd "	3 Mky, "Famewell," F. 10	Motlap	"

On the 4th March the ship was anchored in Yem Ya Cove, Apie. About 9.30 p.m. it came on to blow hard and the anchor was dragged. The sails were then set, the anchor hove in, and a course was shaped to get away from the land. The wind, however, increased to a hurricane gale and blew with hurricane force, rendering it necessary to cut away the fore and mizen masts to save the ship. On the 9th March the vessel reached Vila Harbour, where she remained until arrangements were effected for transshipping the balance of the returning islanders from the "Empreza" to the "Caroline" for conveyance to their homes:—

The "Caroline" left Vila Harbour on the 12th April with Mr. Cecil on board, and landed the last of the returns at Mairo on the 4th May, and returned to Vila Harbour again on the 9th May.

The under-mentioned recruits died of dysentery previous to Mr. Cecil finally leaving the "Empreza," and he attributes their sickness to the exposure they underwent during the night of the hurricane, in spite of his efforts to keep them under cover. Medical advice was obtained at Vila Harbour, and everything appears to have been done to cope with the disease and stop it from spreading:—

13th March	No. 10. Loma Losva	Tanna.
14th "	" 11. Noka	Sangalee.
23rd "	" 8. Coman	"
10th April	" 20. Nysseyyou	"
" "	" 22. Yamak	"
18th "	" 9. Yes sirree	"
21st May	" 14. Napwhat	"

I might here mention that Mr. Cecil also states that, from information received at various places, there appears to have been an epidemic of dysentery at some of the islands in the Hebrides Group.

On the 4th March two returning islanders went ashore at Yem Ya Cove, where the vessel was anchored, and have not since been heard of.

On the passage down to the islands an islander named "Manip" or "Manir" was found on board who did not appear on the passenger list. He was probably a stowaway.

Mr. Cecil returned to the "Empreza" after landing all the return islanders, and departed for Queensland on the 2nd ultimo. Mr. Lawrence was left on board as Government Agent, having been previously appointed to enable the ship to continue her recruiting voyage when ready for sea.

Particulars are attached hereto respecting islanders who have been landed elsewhere than at their proper villages.

With regard to Regulation 46, no money was forwarded by the "Empreza" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

As this report deals with that portion of the voyage in which Mr. Cecil was concerned, another one will be submitted on the return of the "Empreza" to Queensland.

A copy of the Government Agent's report is enclosed herewith.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of cases in which Islanders were landed elsewhere than at their proper Villages during the last voyage of the Labour Ship "Empreza."

Name.	Proper Village.	Island.	Extract.
58. Nacabus -	Weisissi -	Tanna -	19th January.—During the afternoon a boy, "Nacabus," No. 58, a native of Weisissi, Tanna, came to in company with a boy named "Newyantau," No. 49, a native of Aneiteum, and said that he wanted to be landed at "Port Myang," Aneiteum, with the boy "Newyantau." In answer to my question: Why do you want to go there, and how will you get to Tanna? he said that he wanted to stay visiting on Aneiteum for a short time, and then he would go back by the steamer, or mission boat, or canoe. "Newyantau," the Aneiteum boy, says that he has been across to Tanna in the boat before. Nothing further was said.
63. Nowmous -	Weisissi -	Tanna -	25th January.—A boy named "Nowmous," No. 63, T'ville, came to me to-day, and said that he wanted to be landed on Aneiteum with "Nacabus," No. 58. This boy (63) is also a native of Weisissi, Tanna. I asked him what he wanted to land there for. He said he wanted to stay there to visit some friends. I asked him why he had told Mr. Brednan that he wanted to land at Weisissi? He said that he did not know then that he wanted to go to Aneiteum. I told him that if he landed on Aneiteum that the ship "Empreza" would not take him on board again. He said he did not care, as he could go by steamer or boat. I told him that the missionary was not living at "Port Myang," but that I believed that he had gone to Sydney, so that he could not get the mission boat, and unless he had money the steamer would not take him home. He said he would be all right, and that he would land on Aneiteum. I shall speak to them (Nos. 58 and 63) before they go ashore, so as to make them properly understand their position if landed.

Name.	Proper Village.	Island.	Extract.
			30th January.—Nos. 58 and 63 are Tanna boys, and before landing I called them into the cabin, and fully explained to them, in the presence of the captain, the responsibilities they were taking upon themselves by going ashore here. They said that they knew what they were doing, and that they wanted to stay and visit their friends. I told them that if they wished they could go on to their island in the ship, but they still wished to go ashore. After they were landed, I again spoke to them about going on in the ship, but I only got the same replies as before. They were landed of their own free will and at their own requests.
66. Naling	Barril	Erromango	3rd February.—This evening a boy named "Naiang," No. 66, T'ville., came to me and said that he wanted the land on the Island of "Nina" or "Newa." On my looking up his name, I found that he had stated in Brisbane that he wished to be landed on Lacona. I asked him why he wanted to go ashore on Nina and not on Lacona? His reply was that Lacona was too far away, and that he could not get home when he wanted too. I then asked him why he did not land on Erromango, at his village, instead of going to Nina? His first answer was that he wanted to see some friends, and to go to school there. I told him he could go to school on Erromango as well, when he said that he had had a quarrel with his tribe, and that he was afraid to land there, but that if his tribe would let him return he would go over in the mission boat or in a canoe. I then told him that he had only to say that he would go to Erromango, and the ship would take him, but he still expressed a wish to be landed on Nina. I told him that I should tell Mr. Robertson (of Erromango) that he had landed on Nina.
13. Appar	Abboke	Malicolo	4th February.—No. 66 was landed as requested by him, as stated in my log of yesterday. And No. 13, in accordance with his wish, as expressed by him to the inspector in Brisbane, <i>vide</i> outward passenger list, office copy.
76. Howl	Taboli	Ambrym	13th April.—No. 76, a native of Ambrym, was landed on Paama at his own request, which was made before the inspector at Brisbane.
33. Evying	Phonalab	Vanna Lava	Lacona, 23rd April.—On the passage to Buka Buka. All these boys belong to Avern's Bay, Vanna Lava; they wished to be landed, as they want to go to their home in the mission steamer, which leaves to-morrow morning for their village. The "Southern Cross" is at anchor now here. The distance across is 11 miles.
34. Luwat	Wassap	Lacona	
Manip or Manir		Vanna Lava	
16. Parsenile	Howrie	Santo	30th April.—No. 16 is a native of Santo, but was landed on Mota at his own request, made before the inspector, Brisbane.

APPENDIX B.

Department of Immigration,
Pacific Island Labour Branch,
Brisbane, June 23, 1893.

SIR,

I HAVE the honour to report my return to Brisbane from the "Empreza," which I left in Vila Harbour, Sandwich, on June 2nd, fitting out for an extension of the voyage. I also give a report of the voyage till the time I started on my way to Queensland.

The "Empreza" left Morton Island on January 14th, with 153 returns on board, viz., 135 males and 18 females, and reached the island of Aneiteum on January 30th. On the way down to the islands I found that, instead of 152 persons, as shown by the outward passenger lists, I had 153. The extra one was a boy belonging to Vanna Lava, who had come down by the steamer from Townsville, but whose name does not appear on the outward lists anywhere. I did not discover this boy till I had had four musterings of the people. He was duly landed as requested. *Vide Log*, page 71.

The voyage, I regret to say, as far as I was connected with the vessel, did not last long, being suddenly brought to an end by the hurricane that dismasted it on the morning of March 5th, which compelled the master to take the ship back to Vila.

During the short time that I was by the vessel, 32 natives were recruited, and 55 males and six females were entered in my log as having been landed or died, as well as the two boys who were ashore at the time that the vessel dragged from the anchorage on the night of March 4th.

I regret to have to report that 15 deaths took place up to June 1st. They were as follows, viz., five males and one female returns, besides two children and seven male recruits.

Nearly the whole of the people died of dysentery, the first case of which died on February 17th.

Touching upon the dysentery amongst the recruits, there may be various causes for that appearing. Some of the boys may have had it when they came on board, or it might have been caused by change of food, but I think that a very likely cause of it was the exposure to the wet and cold that they subjected themselves to on the night of March 4th, although every effort was made to force them down below.

Whilst in Vila Harbour I was compelled, for the safety of all on board, to call upon the medical officer of the port for his advice and assistance to check the sickness amongst the people. I also put the married people on the island, and allowed the single men a free run of the harbour as they liked, but to sleep on board. By doing this I managed to stamp out any further sickness amongst the returns. I could not do as I liked with the recruits, as the natives of Vila forbade them coming on shore on account of there being sickness amongst them, but they were made to exercise themselves by cutting firewood and getting fresh water in the boats.

Whilst upon the matter of the sickness I should like to bring to your notice the fact that several persons have been making statements to the effect that the "Empreza" has been the cause of spreading the dysentery amongst the islands.

I have carefully inquired into the matter, and I find that dysentery is very prevalent amongst the Southern Islands. The Rev. Mr. Grey, who lives on "Tanna," says that he does not believe that the "Empreza" had anything to do with spreading the sickness.

Mr. Rorch, a planter, of Undine Bay, Sandwich, told me that it had done much damage "before the 'Empreza' arrived at Sandwich."

Dr. Darille, of Vila Harbour, told me that it was carrying the people off in Malo very fast. This is an island the "Empreza" has not visited. I write most feelingly on this matter, as the ship is not to blame.

After waiting in Vila Harbour from March 9th till April 12th, a vessel, the "Caroline," of 65 tons, came and took our returns, who in due course were properly landed. After they were landed the schooner returned to Vila Harbour, and, as I found that the "Empreza" and the recruits were still there, I rejoined her. I fully expected from what the master had written that it was just possible that the vessel would be sold on the arrival of the next mail from Queensland *via* Sydney, and from what I had written to him that the recruits would have been sent on to Queensland. When I left the "Empreza" to land the people I had no idea when I was likely to get back to civilization. I accordingly wrote to you that I should return to Brisbane after landing the returns, as I was not able to know what was going on, or likely to occur during my absence.

I must also state that had I gone away in either the "Lady St. Aubyn" or the "Septic," I should not have been back to Noumea for quite four months, as these vessels are now away on a recruiting voyage; and, as far as the "Caroline" was concerned, that ship would have been away for more than two months or longer, but for a mistake on the part of the agents in putting the wrong trade on board, which necessitated an early return to Noumea *via* Vila.

On my return to the ship I found that a few spars, &c. had been sent down by a steamer, but it was not until May 28th, when Mr. Malcolm came back in the "Lark," and bringing Mr. Lawrence, Government Agent, with him, that I knew that the vessel was to go on with the recruiting.

Having handed over the vessel to Mr. Lawrence I left in the s.s. "Kene" for Noumea on June 2nd, arriving there on June 4th, at Sydney, June 17th, and at Brisbane on this date.

As Mr. Lawrence, in his capacity of shipping surveyor, will send his official report of the condition of the vessel, I have refrained from making any remarks on the seaworthiness of the vessel other than the entries made in my log, pages 40, 41, 42. Mr. Lawrence has also directed his attention to the stores and clothing.

I have, &c.

AUBREY C. CECIL,

Government Agent.

To the Immigration Agent, Brisbane.

Barque "Empreza," Port Vila, Sandwich,

March 9th, 1893.

SIR,

I HAVE with much regret to report that the "Empreza" was dismasted in a hurricane on the morning of March 5th. The vessel has been towed into Vila, and the master intends to fit the ship out with jury masts, and to take it to Brisbane. Mr. Malcolm will proceed to-night by the French mail steamer to Noumea, to get a vessel to land the returns.

The vessel was at anchor off "Yem-Yio" Cove, Api, when she dragged off the anchorage about 9 p.m., and on the morning of March 5th, at about 3.50 a.m., the master ordered the fore mizzen to be cut away. The main mast went when the fore-mast fell.

The "Empreza" anchored off the Mission Station, at Arak or Sandwich, this morning at 8 a.m.

The French steamer "McGregor" towed her into safe anchorage and leaves at once for Noumea.

The recruits will proceed to Brisbane in the "Empreza," as it will be the only means available.

No accidents of any account happened, although nearly all the boys' boxes were filled with water.

I will give a full report on my arrival in Queensland, which I am at present prevented from doing, as the captain of the steamer is now much behind his time for sailing, and is anxious to get away.

I have, &c.

AUBREY C. CECIL,

Government Agent.

To the Immigration Agent, Brisbane.

Barque "Empreza," Vila Harbour,

May 31, 1893.

SIR,

I have the honour to inform you of my arrival at Vila on the 28th inst., being 27 days from Sydney.

On the 29th inst. took over charge from Mr. Cecil. I inspected the "Empreza," and found the starboard top-gallant bulwarks carried away from the foremast to abaft the mizzen, also the main-rail and bulwarks, starboard cathead and head rails, the whole of the chain plates of the fore and main rigging and the starboard boat and davits.

Under water the copper is torn in several places about three feet below the water line, caused by the wreckage hanging to her side. I also sealed her pumps for 24 hours, but found her making no water.

I inspected the stores and recommended additions to last a further four months. The clothing for the recruits is also in good condition.

I trust the "Empreza" will be ready in about 10 days from this, and I will write to you before leaving, that everything has been carried out satisfactorily.

I have, &c.

W. H. LAWRENCE,

Government Agent.

To the Immigration Agent, Brisbane.

No. 15.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 4, 1893.)

MY LORD MARQUESS,

Government House, Brisbane,
July 26, 1893.

IN continuation of my Despatch of the 28th January last,* respecting the labour vessel "Sybil," I have now the honour to transmit, for your Lordship's information, a copy of a report respecting the late voyage of this vessel, which I have received through the Chief Secretary.

I have, &c.

H. W. NORMAN.

Enclosure in No. 15.

Pacific Island Labour Office, Brisbane,
June 6, 1893.

SIR,

THE return of the labour ship "Sybil" to Mackay 26th ultimo affords me the honour of reporting upon her recent and sixth voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 116 Islanders, and licenses were granted to enable the master to recruit that number for 13 employers in the Mackay district.

Mr. W. Shearer was the master, and Mr. A. H. N. Ussher the Government Agent.

The ship left Mackay 14th January last, having 73 returning Islanders on board, and arrived at Guadalcanar 30th January.

Recruiting commenced at Guadalcanar on 2nd February, and was prosecuted through the Solomons Group, finishing at Guadalcanar 15th ultimo, having occupied 103 days, during which period 110 male recruits were obtained.

The under-mentioned returning Islanders died during the passage, viz :—

1st February 1893, 73 Mackays. "Mamman," of Malayta, of consumption.

5th ,, 42 ,, "Whypoosie," of St. Christoval, of consumption.

On the 15th May the ship took her departure from Guadalcanar for Mackay, carrying 110 male recruits, including :—

16 previously employed in Queensland,

6 ,, Samoa,

4 ,, Fiji,

1 ,, Noumea, and

83 strangers in the Colony. They hail from the Solomons Group.

Three return Islanders were landed elsewhere than at their proper places, at their own request. See Appendix A.

The only incident of note during the voyage appears to have occurred at the island of Malayta, near a village called Qui. The recruiting boat went ashore there; several Islanders assembled, and the recruiter Tornaros landed, and while talking to them an Islander, apparently without provocation, made a sudden attack on him with a tomahawk, splitting his cheek open. The boats then opened fire on the Islanders, but without effect.

With regard to Regulation 46, the sum of 10*l.* 18*s.* 6*d.* was distributed to relatives of labourers who had died under engagement in Queensland.

The Government Agent reports that he has no complaints to make.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG, of cases in which three Islanders were landed elsewhere than at their proper Villages, during the last voyage of the Labour Ship "Sybil."

Name.	Proper Village.	Island.	Extract.
58. Sooner -	Twanaheed -	Malayta -	14th February 1893.—His brother came on board in a canoe, and told him that his father was dead, and that his mother was now living here (Supeina); after I had interviewed his brother, with the aid of an interpreter, and found such to be the case, I allowed him to go ashore as desired. There were two other Twanhea returns on board.
71. Angowlsha -	Qui -	Malayta -	21st March 1893.—At anchor at Fochiucarra. A canoe came across from Qui, with "Mattarow," who is the father of "Angowlsha," so I allowed him to go ashore in it. (I knew "Mattarow" personally, and knew he was the boy's father.)
34. Petosi -	Ootoqui -	Savo -	12th April 1893.—At anchor at Hohenlavoo, Bara-mango Passage. Petosi met his father here, he told me he was a native of Florida, but had recruited at Savo, whilst over there on a visit. I interviewed his father with the aid of an interpreter, and found such was the case. Mr. Hundere, who is resident at Hohenlaroo, was also present. Being fully satisfied that the boy was speaking the truth, I landed him.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Ship "Sybil," Malayta, March 25, 1893.

While under weigh the boats went ashore to a smoke on the beach near Qui, and while the recruiter was talking to them on the shore, a native attacked him with a tomahawk, and split his cheek open from near the point of the jaw to the mouth; the boats opened fire on them without effect.

No. 16.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 18, 1893.)

MY LORD MARQUESS,

Government House, Brisbane,

August 5, 1893.

I HAVE the honour to transmit, for your Lordship's information, a copy of a letter which I have received from my Chief Secretary, dated the 31st ultimo, and of the accompanying report, respecting the recent voyage of the labour vessel "Helena," enclosed therein.

I have, &c.

H. W. NORMAN.

Enclosure in No. 16.

Chief Secretary's Office, Brisbane,
July 31, 1893.

SIR,

I HAVE the honour to forward, for your Excellency's information, the accompanying copy of the Report of the Immigration Department upon the late voyage of the

labour vessel "Helena," which returned to Bundaberg on the 13th instant, together with a return of the cases of islanders landed elsewhere than at their proper villages.

I have, &c.

His Excellency
Sir Henry W. Norman, G.C.B.
&c. &c. &c.
Governor.

THOMAS MCILWRAITH.

Pacific Island Labour Office, Brisbane,

July 24, 1893.

SIR,

THE return of the labour ship "Helena," to Bundaberg, 13th inst., affords me the honour of reporting upon her recent and 25th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient space to accommodate 90 islanders, and licenses were granted to enable the master to recruit that number for five plantations in the Bundaberg District.

W. R. Reynolds was the master, and Mr. S. M. Smith the Government agent.

The ship left Maryborough 10th February last with 71 returning islanders on board, and arrived at Guadalcanar 5th March.

Recruiting commenced at Malayta 13th March, and was proceeded with throughout the Solomon and New Hebrides groups, finishing at Mallicolo on 27th ult., having occupied 107 days, during which period 89 recruits were obtained, 86 males and three females.

* Returning, islander No. 2, Maryborough, "Malduke," died 10th February, after leaving Maryborough, of consumption.

On the 29th June the ship took her departure from Espiritu Santo, for Bundaberg, carrying 89 recruits, including:—

29 previously employed in Queensland.
1 " " Fiji; and
61 strangers in the Colony.

They hail as follows:—

Solomons	-	-	-	-	23
New Hebrides	-	-	-	-	66
Total	-	-	-	-	89

On 3rd July, recruit "Taket," No. 68, died from what appeared rapid consumption, but his brother islanders say he died from slow poison given him ashore before leaving.

Eleven return islanders were landed elsewhere than at their proper villages. (See Appendix A.)

With regard to Regulation 46, no money was forwarded by the "Helena" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Health Officer at Bundaberg passed all the recruits with the exception of five, viz., Nos. 49, 52, 62, 64, and 72, who are detained on board for examination later on.

The Government Agent reports that he has no recommendations nor complaints to make.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

* The Government Medical Officer, in his certificate under Regulation 42, stated that this islander was suffering from "phthisis," ordered him to be treated with cod liver oil, and said the voyage "would probably prolong life."—W. E. P. O.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of cases in which 11 Islanders were landed elsewhere than at their proper Villages during the last voyage of the Labour Ship "Helena."

Name.	Proper Village.	Island.	Extract.
T. 16 Orocassie - Mowiesohoo, 17 - Mummamover, 18 - Tocheddie, 19 -	Yooohoo - " - " - " -	Malayta - " - " - " -	1893, 6th March.—Landed returns T. 16, "Orocassie;" 17, "Mouriesohoo;" 18, "Mummamover;" 19, "Tocheddie;" all at Tawanahia; as they preferred it to next passage, Yooohoo, where they had originally recruited and being met by members of tribe at former passage.
Te San, 4 - " 18 - " 19 - " 40 - " 41 -	Manoo - " - " - " - " -	Malayta - " - " - " - " -	1893, 13th March.—The Manoo returns being landed at Oinulava at their own request. Their tribe having shifted quarters while they were away and met them at this passage, as they very much wished, I let them land.
B. G. 6 Hosureah -	Quarrie -	Malayta -	1893, 18th March.—During the day landed B. G. 6, "Hosureah," at Atta in preference to his passage, Quarrie, at other side of the island, his tribe being driven across here in fighting with another tribe, and he wished to join them at this place, so allowed him to land.
B. G. 5 Basoruah -	Hihers -	Malayta -	1893, 8th April.—Landed B. G. 5, "Basoruah," at his own request, his relations being here, and only half a day's journey to his passage the other side of the island, and he wished to remain here for a week before crossing the island.

No. 17.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 26, 1893.)

Government House, Brisbane,
August 17, 1893.

MY LORD MARQUESS,

I HAVE the honour to transmit, for your Lordship's information, a copy of a report by the Immigration Agent, dated the 3rd instant, and of the appendices attached thereto, which I have received through the Chief Secretary, respecting the late voyage of the labour vessel "Lochiel."

2. Your Lordship will observe that the Government agent on this vessel reports that, owing to a proclamation having been issued by Captain Gibson, of Her Majesty's Ship "Curacoa," by which a British Protectorate was assumed over certain islands, recruiting was stopped. In consequence of this report I inquired from the Chief Secretary whether the Government of Queensland held the view that in consequence of this Protectorate recruiting was prohibited by law in the islands concerned, and in reply I was told that, in view of the definition of "Pacific Islanders" given in section 2 of 50 Vict. No. 6, recruiting is still considered legal, notwithstanding such proclamation. I have communicated this opinion to the Naval Commander-in-Chief and to the High Commissioner of the Western Pacific.

I have, &c.

H. W. NORMAN.

Enclosure in No. 17.

Brisbane, Pacific Island Labour Office,
August 3, 1893.

SIR,

THE return of the labour ship "Lochiel" to Bundaberg, 27th ultimo, affords me the honour of reporting upon her recent and 18th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 143 Islanders, and licenses were granted to enable the master to recruit that number for seven employers in the Bundaberg district.

Robert Pearn was the master and Mr. J. E. B. Hammond the Government agent.

The ship left Bundaberg 22nd March last, having 124 returning Islanders on board, and arrived at Tanna 12th April.

All the returning Islanders were landed at their proper villages or passages with the exception of four, who were landed elsewhere at their own request. (*See Appendix A.*)

Recruiting commenced at Tanna on 13th April, and was prosecuted throughout the Hebrides, Banks, Torres, and Solomon groups, finishing at Guadalcanar 6th July, having occupied 107 days, during which period 107 recruits were obtained, 102 males and five females.

The under-mentioned returning Islander died during the passage :—

2nd April, No. 74, B7. "Yarwen," Tanna, of dysentery.

On the 19th July the ship took her departure from Guadalcanar for Bundaberg, carrying 107 recruits, who hail as follows :—

New Hebrides	-	-	-	-	-	-	-	-	62
Banks	-	-	-	-	-	-	-	-	14
Torres	-	-	-	-	-	-	-	-	3
Solomon	-	-	-	-	-	-	-	-	28
Total	-	-	-	-	-	-	-	-	107

and include—

30 previously in Queensland,
2 " " Samoa,
3 " " Honolulu,
2 " " Fiji,
1 " " Noumea,
1 " " Sandwich, and
68 strangers in the Colony.

The Government agent, Mr. Hammond, reports that on 8th July he was shown by some Natives of Florida a proclamation issued by the Captain of H.M.S. "Curaçoa" to the effect that the Imperial Government had assumed a Protectorate over the island of Florida from 28th June, and on the two following days it was also reported to him that Malayta and Savo had become British Protectorates, in consequence of which further recruiting was forbidden.

Appendix B. is a copy of the proclamation regarding Florida.

With regard to regulation 46, the sum of 8*l.* 18*s.* 4*d.* was distributed to relatives of labourers who have died under engagement in Queensland.

The Health Officer at Bundaberg passed all the recruits with the exception of Nos. 7, 14, 40, 69, 88, detained for medical treatment, and rejected Nos. 70 and 92.

On the 8th May one of the crew, named James Abercrombie, died of pneumonia whilst the ship was anchored in S.W. bay, Mallicolo.

The Government agent states that a new water tank is required in the boat's crews' quarters, an extra breaker for deck use is needed, and the yam pots should be looked to ; also that he has no complaints to make against any of the crew.

I have, &c.

The Under Colonial Secretary,
Brisbane.

F. W. GALLOWAY,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of cases in which four Islanders were landed elsewhere than at their proper Villages during the last voyage of the Labour Ship "Lochiel."

Name.	Proper Village.	Island.	Extract.
B.G.			1893.
26 Polaneny -	Hoomaney -	Malayta -	18th July.—The above Malayta returns were landed at Maran by request, as they wished to join their friends who were over there on a trading expedition.
27 Howalie -	" -	" -	
45 Seero -	Tannaloke -	" -	
54 Mackofine -	Mamboo -	" -	

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Ship "Lochiel," Florida, 8th July, 1893.

The following is a copy of a proclamation from Captain of H.M.S. "Curaçoa," handed to me by the Natives here; on receipt of which I forbid recruiting to be carried on here. I wish to draw attention to the longitude $160^{\circ} 3'$ as I think this must be an error; $160^{\circ} 30'$ is probably meant.

PROCLAMATION.

In the name of Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, Empress of India.

By Captain Herbert William Sumner Gibson, commanding Her Majesty's Ship "Curaçoa."

Whereas I have it in command from Her Majesty Queen Victoria, through the principal Secretary of State for the Colonies, to declare that Her Majesty has this day assumed a Protectorate over Florida or Negela Island situated between the latitudes $8^{\circ} 56'$ south and $9^{\circ} 13'$ south and the longitudes $159^{\circ} 55'$ and $160^{\circ} 3'$ east of Greenwich and the islands adjacent thereto.

Now, therefore, I, Captain Herbert William Sumner Gibson, commanding Her Majesty's Ship "Curaçoa," do hereby proclaim and declare to all men that from and after the dates of these presents the above-mentioned Island has been placed under British protection.

Given under my hand at Florida Island this 28th day of June 1893.

HERBERT W. S. GIBSON,
Captain.

Witness
A. WARREN,
Lieutenant.

No. 18.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 2, 1893.)

Government House, Brisbane.
August 25, 1893.

MY LORD MARQUESS,

I TRANSMIT a copy of a report signed by the Immigration Agent, and dated the 12th August 1892, which I have received through the Chief Secretary, respecting the recent voyage of the labour vessel "Ariel."

I have not thought it necessary to attach to the enclosure a copy of the tracing of the ship's course, referred to in the Immigration Agent's report.

I have, &c.

H. W. NORMAN.

Enclosure in No. 18.

DEPARTMENT OF IMMIGRATION, PACIFIC ISLAND LABOUR BRANCH.

SIR,

Brisbane, August 12, 1893.

THE return of the labour ship "Ariel" to Bundaberg, 31st ultimo, affords me the honour of reporting upon her recent and nineteenth voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 88 Islanders, and licenses were granted to enable the master to recruit that number for four employers in the Bundaberg district.

William Connell was the master and Mr. A. Thompson the Government agent.

The ship left Bundaberg 5th April last, having 58 returning islanders on board, and arrived at Tanna 27th April. The Government agent reports that the returning islanders were all duly landed at their respective homes.

Recruiting commenced Api on 6th May, and was proceeded with throughout the New Hebrides, Torres, and Banks Groups, finishing at Lacona 15th July, having occupied 70 days, during which period 45 recruits were obtained, 44 males and one female.

The under-mentioned returning Islander died of consumption during the voyage, May 3rd, 43, Bg. Song of Tongariki (Appendix A.).

On the 21st July the ship took her departure from Santo for Queensland, carrying 45 recruits, who hail as follows:—

New Hebrides	-	-	-	-	-	-	-	40
Banks	-	-	-	-	-	-	-	4
Torres	-	-	-	-	-	-	-	1
Total								<u>45</u>

and include—

7	previously in Queensland,
5	„ „ Samoa,
1	„ „ Fiji,
3	„ „ Vila,
1	„ „ Noumea, and

28 strangers in the Colony.

With regard to Regulation 46 no money was forwarded by the "Ariel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Health Officer at Bundaberg passed all the recruits.

During the voyage the ship struck on a reef, and the following extract from Mr. Government Agent Thompson's log relates to the matter:—"While off the coast of Parma the vessel came in contact with a reef, but to the best of my belief the only damage she sustained was the loss of two or three sheets of copper from her keel. With this exception, I believe the vessel, her boats, &c., to be in excellent order." The Inspector of Pacific Islanders at Bundaberg has been requested to obtain a special report from the Shipping Inspector at that port on the state of the vessel, should it be desired to despatch her again to the islands.

Mr. Thompson states that he has no complaints to make against any of the officers or crew.

I enclose herewith tracing* of the course of the ship showing places where islanders were landed and recruited.

I have, &c.

F. W. GALLOWAY,

Immigration Agent.

The Under Colonial Secretary,
Brisbane.

APPENDIX A.

EXTRACT from the Government medical officer's certificate, Bundaberg, April 4, 1893.

Name.	Disease.	Treatment.	Whether voyage would be injurious or otherwise.
Song - - - -	Tuberculosis (chronic) -	Nourishing food and cough mixture, if required.	Might be benefited.

No. 19.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 9, 1893.)

[Further Despatch, No. 62.]

Government House, Brisbane,
August 29, 1893.

MY LORD MARQUESS,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 16th June 1893,* in which you forward for report copy of a letter from Mr. A. K. Langridge, which appeared in the "Westminster Gazette" newspaper, commenting on certain statements made by Mr. Rannie, Government Agent of the Queensland labour vessel "Empreza," with respect to the New Hebrides missionaries.

2. At my instance the Chief Secretary caused Mr. Rannie to be called upon to report fully on the matter, and I now transmit a copy of a letter from Mr. Rannie on the subject, remarking on Mr. Langridge's letter, and supplying additional alleged facts in support of the statements contained in his report which form the subject of the strictures of Mr. Langridge.

3. With Mr. Rannie's letter the Chief Secretary has enclosed a copy of a pamphlet on the subject of "Polynesian Labour in Queensland," by the Rev. A. Smith, Convener of the Foreign Mission Committee of the Presbyterian Church in Brisbane, together with the copy of a pamphlet by Mr. Rannie, entitled "Notes on the New Hebrides." Sir T. McIlwraith has also sent to me a copy of "Letters from Queensland," by the "Times" Special Correspondent, pages 13 to 20 of which contain information as to the condition of Polynesian labourers in Queensland. I forward all three pamphlets† to your Lordship, but I may remind you that the publication by the Rev. A. Smith has already been sent in my Despatch of the 19th January 1893.‡

4. I am unable to give any useful opinion as to the accuracy or otherwise of Mr. Rannie's allegations, but I presume that the records of the Missionary Societies concerned must show the periods of absence from their posts of the various missionaries, and the reasons for such absence.

I am not aware whether these bodies have any regular system of inspection of their mission stations by some superior authority such as would be considered desirable in any secular organisation, and which would correspond, as respect supervision, with the system of the Anglican or Roman Catholic Churches.

I have, &c.

H. W. NORMAN.

Enclosure in No. 19.

Pacific Island Immigration Office, Mackay,
August 9, 1893.

SIR,

I HAVE the honour, as directed, to report upon the enclosed letter of Mr. A. K. Langridge, commenting upon certain statements made by me with respect to the New Hebrides missionaries, in my supplementary report of the 19th December 1892.

In referring to Mr. Langridge's letter, I would point out that he is evidently unacquainted with the mode of conducting the Labour Traffic. In applying to me the title of

* No. 7.

† Not printed.

‡ No. 15 in [C.—7000] April 1893.

"Government Recruiting Agent" he seems to think that the Government Agent does the recruiting on behalf of the Government, whereas the Government Agent is a perfectly disinterested party appointed by the Government to see that its rules and regulations are strictly enforced, and therefore any report made by me is strictly that of an unbiassed individual who merely reports what he has seen.

Mr. Langridge calls attention to two points in my report, which, he says, may "entirely alter the import of the statements made." He writes: "(1) The Government Agent does not say that the cases he saw contained beer, but that they were 'marked beer.'"

This is very true, as the cases marked beer and gin were intact, and as I had no right to touch them, I left them alone, and so could not say what was inside of them. But from the number of empty beer bottles I saw lying outside the missionary's store I inferred that the cases contained what on the outside they were stated to contain, and from the size of the chests of tea, and the amount of sugar about the store, I should say that a beer or spirit case would be far too small to contain any of the samples I saw.

Mr. Langridge makes no reference to the bags of shot and the numerous boxes of percussion caps for Enfield rifles that were exhibited in the missionary's store. When I questioned the Natives, they informed me that the missionary bartered these things to them in exchange for arrowroot, nautilus, and pearl shells, &c. This statement refers to the Island of Mai, and the missionary is the Rev. Peter Milne, of Moona or Nguna.

With regard to the matter of firearms it was reported by a trader named Facio, in the Island of Api, that a large case of firearms and ammunition had arrived at his station, addressed to the Rev. Mr. Fraser, of Api. In 1884, when I first visited Moona, many of the Natives said they wished to go to Queensland, but could not get away, as the Rev. Mr. Milne had his policemen watching them. They pointed out to me two Natives standing some distance apart armed with rifles, whom the Natives said had orders from the missionary to shoot anyone attempting to recruit in a labour vessel. I merely give you the statement of the Natives as regards this.

When at Erromango some time ago, the Rev. Mr. Robertson wished to buy a Snider rifle off the ship I had charge of, so as to make a present of it to one of the Natives.

As regards competing with the regular traders, I may mention that the materials collected by the churches for distribution among the Natives are sold for money or its equivalent in produce of some kind or other. I have myself seen the missionaries selling to the Natives prints and calicoes which cost about 3d. per yard at 1s. per yard.

I would also call your attention to the error made by Mr. Langridge, where he refers to "the alleged neglect of their evangelistic duties by the missionaries." He asserts that *two* missionaries and *not three* were supported on the Island of Mallicolo. These missionaries, he says, are Mr. Leggat and Mr. Paton. If there are only two supported by the church, is the Rev. Mr. Gillan, of Port Stanley, self-supporting, or is he supported by the Natives? The last time I saw missionaries on Mallicolo, there were three, the Revs. Messrs. Leggat, Moreton, and Gillan.

I am under the impression that when I wrote my supplementary report on the voyage of the "Empreza," Mr. Paton had not arrived in the Islands. I called in at the stations of both Mr. Gillan and Mr. Moreton, and was informed by the Natives that both had gone to Australia for holidays. The French settlers also informed me that the Rev. Mr. Leggat had also gone to Australia in broken health.

Mr. Langridge, I am sure, when writing to the "Westminster Gazette," was not in a position to state who the missionaries are who were absent from their stations when I wrote my supplementary report. But if he were to put himself to the trouble, he might get, by applying to the Secretary for Heathen Missions of the Presbyterian Church in Sydney, the localities in which the following missionaries were living at the beginning of December 1892:—Messrs. McDonald and Annand, of Santo; Mr. Landels, of Malo; Messrs. Gillan, Moreton, and Leggat, of Mallicolo; Mr. Fraser, of Api; Mr. Michelsen, of Tongoa; Messrs. Watt and Gray, of Tanna; and Messrs. McDonald, and McKenzie, of Efate. All these men were not absent from their stations, but the majority were.

As for Mr. Langridge's remark about the "Santo Story" being unreliable, I can only re-assert what the Natives told me as to the false information spread among them by the Rev. Mr. McDonald. This fabrication was repeated to me not only by the Native teacher, but also by numbers of Natives along the coast: "That if any Native recruited 'in a labour vessel, and went to Queensland, the Government would punish them, put 'them in prison, and send them back home again.' This is only equalled by what was told me by the Native teacher at Anewa, some time ago. The teacher there exhibited a

letter written in the native language, which he said he had received from the Rev. Dr. Paton. The teacher translated the letter to me. It was to the effect that he (the teacher) was to let no Native recruit for Queensland, as Dr. Paton had made special arrangements with the Queensland Government to detain for life in Queensland any Native who recruited for any period of time. Of course, the Natives believed the word and letter of Dr. Paton.

In concluding the letter, Mr. Langridge refers to opinions expressed by Mr. R. L. Stevenson, and his visits to 40 Islands. But if Mr. Langridge will turn to the chart of the Pacific and Mr. Stevenson's experiences, he will find that these experiences are confined to the semi-civilised Islands of the Samoan group, and do not embrace the New Hebrides, nor any part where the Queensland labour traffic is carried on. As to the opinion expressed by Sir John Thurston, quoted in Mr. Langridge's letter, I have the honour to differ with him; and I say, most emphatically, that the spirit and letter of the regulations under the Pacific Island Labourers Act can be most effectively carried out by any Government Agent who has the firmness to stand by his orders.

And I also differ from Sir John Thurston in his opinion that South Sea Islanders are not benefited by their stay on Queensland plantations. Anyone who has seen the Natives on their Islands and in Queensland can testify to the amount of good gained, both morally and physically, by them during their short stay here.

For confirmation of this view, I would refer you to the articles and pamphlet on this subject written by the Rev. Alexander Smith, Convener of the Foreign Mission Committee of the Presbyterian Church, Brisbane. I also forward to you by this mail a pamphlet on the New Hebrides, written by me some short time back.

I have, &c.

DOUGLAS RANNIE,
Assistant Inspector of Pacific Islanders,
Late Government Agent on board the "Empreza."

To the Immigration Agent,
Brisbane.

No. 20.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received October 16, 1893.)

[Further Despatch, No. 22.]

Government House, Brisbane,
September 4, 1893.

MR LORD MARQUESS,

I HAVE the honour to transmit, for your information, a copy of a report by the Immigration Agent upon the late voyage of the labour vessel "Para," which I have received through my Chief Secretary.

I have not thought it necessary to enclose the tracing of this vessel's course whilst recruiting among the Islands, to which allusion is made in the Immigration Agent's letter.

I have, &c.

H. W. NORMAN.

Enclosure in No. 20.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
August 18, 1893.

SIR,

THE return of the labour ship "Para" on the 5th instant affords me the honour of reporting upon her recent and 12th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 176 Islanders, and licenses were granted to enable the master to recruit that number for the Colonial Sugar Company, Homebush, in the district of Mackay.

John Mackay was the master and Mr. de Vaux the Government Agent.

The ship left Brisbane on the 3rd of April last, having 129 returning Islanders on board, and arrived at Tanna on the 15th April.

All the returning Islanders were landed at their proper villages or passages with the exception of one, who was landed elsewhere at his own request. *See Appendix A.*

Recruiting commenced at Tanna on the 15th April, and was prosecuted throughout the New Hebrides, Banks, Torres, and Solomon Groups, finishing at Malayta on the 14th July, having occupied 91 days, during which period 110 recruits were obtained, 102 males and eight females.

The under-mentioned returning Islanders died during the passage :—April 4th : No. 6, "Tarleah," of Malayta, from what appeared to be softening of the brain ; this Islander had been recruited during the last voyage of the "Para," and was rejected on his arrival at Brisbane, on the 23rd February last, by the Government medical officer, because he was insane. April 11th : 66 Ing, "Quandalick," of Aoba, died of consumption.

On the 21st of July the ship took her departure from Guadalcanar for Queensland, carrying 110 Islanders, who were brought from the following groups, viz. :—

New Hebrides	-	-	-	-	-	36
Banks	-	-	-	-	-	5
Torres	-	-	-	-	-	36
Solomon	-	-	-	-	-	33
Total	-	-	-	-	-	110

Including 36 previously in Queensland.

3 ,, Samoa.
2 ,, Fiji.

With regard to Regulation 46, the sum of 20*l.* 15*s.* 2*d.* was distributed to relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the Islanders with the exceptions of Nos. 34 and 77, the former being sent to the hospital for treatment, and the latter to be treated on board the ship.

Mr. Government Agent de Vaux's papers are in good order, and he has no complaints to make.

I enclose herewith tracings of the course of the ship, showing places where Islanders were landed and recruited.

I have, &c.

F. W. GALLOWAY,
Immigration Agent.

The Under Colonial Secretary,
Brisbane.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of one case in which an Islander was landed elsewhere than at his proper Village during the last voyage of the Labour ship "Para."

Name.	Proper Village.	Island.	Extract.
31. Mky. Taw	- - Vanhow	- Pentecost	25th May 1893.—Landed Tarrawoolwool at the missionary station at his own request, he stating that his brother, Mulsanger, was one of the teachers at the mission.

No. 21.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received October 23, 1893.)

[Answered by No. 25.]

Government House, Brisbane,

September 15, 1893.

MY LORD MARQUESS,

I HAVE the honour to inform your Lordship that my Government propose to withdraw so much of the prohibition under Article 19 of the Regulations made under the

Pacific Island Labourer's Acts, printed on the back of the licenses issued to masters of recruiting vessels, as relates to recruiting at the group known as the Santa Cruz Islands and at the Island of Tongoa, in the New Hebrides; and that it is the intention of my Government to grant permission to re-open recruiting in these Islands.

I have, &c.

H. W. NORMAN.

No. 22.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received November 6, 1893.)

Government House, Brisbane,
September 26, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 4th instant,* in which I enclosed a copy of a report by the Immigration Agent on the late voyage of the labour vessel "Para," I have now the honour to transmit, for your information, a copy of a special report by the Medical Officer, respecting the death of two return islanders during the passage, to which allusion was made in the Immigration Agent's report, and which I have received through my Chief Secretary.

I have, &c.

H. W. NORMAN.

Enclosure in No. 22.

SIR,

Brisbane, September 14, 1893.

REFERRING to the death of the two South Sea Islanders on the last return voyage of the "Para," I have the honour to state, for the information of the Honourable the Chief Secretary, that Tarleah, who was supposed to have died from softening of the brain, was rejected by me on his arrival in the Colony on the ground of insanity. He was kept in the reception house until the departure of the Para and was put on board in perfect physical health. Quandaleck, who is reported to have died from consumption, was, I am informed by Captain Mackay, suffering from "diarrhœa" and "bleeding from the bowel." He had no cough and was put on board in apparently good health. Several others of the islanders suffered from dysentery during the voyage. There can be no reasonable doubt that he died from acute dysentery.

Under these circumstances, I respectfully submit that I am perfectly free from any responsibility in either of these cases.

The Under Colonial Secretary.

I have, &c.

EDWARD TILSTON.

No. 23.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received November 13, 1893.)

Government House, Brisbane,
October 4, 1893.

MY LORD MARQUESS,

WITH reference to my Despatch, dated the 17th July, 1893,† I have the honour to forward, for your Lordship's information, a further report from the Immigration Agent upon the late voyage of the labour vessel "Empreza," which returned to Townsville on the 11th September ultimo. Copy of the tracing referred to is not sent.

I have, &c.

H. W. NORMAN.

P.S.—Copy of the correspondence connected with the action of Captain Lang, of H.M.S. "Tauranga," referred to in these papers, will be sent when concluded.—H.W.N.

Enclosure in No. 23.

Department of Immigration, Pacific Island Labour Branch,
Brisbane, September 25, 1893.

SIR,
THE return of the labour ship "Empreza" to Townsville on the 11th inst., affords me the honour of reporting further on her recent and 2nd voyage under the "Pacific Island Labour Acts."

The report forwarded to your office on 1st July last dealt with that portion of the voyage with which Mr. Government Agent Cecil was concerned, from the date of leaving Brisbane, 14th January last, until the returning Islanders were all duly landed from the "Caroline," to which vessel they had been transhipped owing to the disablement of the "Empreza." Mr. Cecil left Vila for Brisbane on 2nd June, leaving 23 recruits on board the "Empreza" in charge of Mr. Government Agent Lawrence, and returned to Brisbane on the 24th June.

One recruit was retained at Vila whilst waiting repairs to the vessel.

Vila was left on the 21st June and recruiting proceeded with through the New Hebrides group until 31st August, during which period 27 Islanders were recruited, 25 males and two females.

On the 31st August the ship took her departure from Lacona for Townsville, carrying 51 Islanders who were brought from the New Hebrides group, and included—

13 previously employed in Queensland,			
4	"	"	Samoa,
1	"	"	Sandwich,
1	"	"	Honolulu,
1	"	"	Fiji.

The Health Officer at Townsville passed all the recruits.

On the 23rd June, whilst the vessel was at anchor in Havannah Harbour, Lieutenant Pelly, of H.M.S. "Tauranga," boarded and inspected her, and on the following day Captain H. B. Lang, of the "Tauranga," visited the "Empreza," producing a printed form from the Admiral, stating that the "Empreza's" licenses expired on the 9th May last, in consequence of which the vessel was detained by Captain H. B. Lang until he had communicated with the Admiral. (See Appendix A.)

On the 14th July Captain Lang again visited the "Empreza," authorising the resumption of the voyage for the purpose of recruiting. (See Appendix B.)

I would draw your attention to the condition of the sails and boat referred to by the Government Agent in his report herewith enclosed. (Appendix C.)

I enclose herewith tracing of the course of the ship after leaving Vila Harbor, showing places where Islanders were recruited by Mr. Government Agent Lawrence.

I have, &c.

The Under Colonial Secretary,
Brisbane.

J. O'N. BRENNAN,
Officer-in-Charge.

P.S.—The agents of the "Empreza" have been advised as to the condition of sails and boat.—J. O'N. B.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG, dated 24th June 1893, lying at anchor in Port Havannah.

"Owing to the expiration of the license of this ship, I have this day given orders to the master, F. F. Malcolm, to remain at his present anchorage in Port Havannah until further directions are received from me. Date of expiration of license, 9th May 1893. (Vide Commander in Chief Australian Station General Memorandum, No. 9 of 2nd February 1893.)

H. B. LANG,
Captain H.M.S. "Tauranga."

At 4.30 p.m. H.M.S. "Tauranga" anchored, and her boat came alongside with a French trader of Took-a-Took, who complained that we had recruited a boy of his, No. 34, "Drum-Drum," but on inquiry found the complaint groundless, the boy being under no agreement with him. The Captain also came on board, produced a printed form from the Admiral, stating the "Empreza's" licences expired on the 9th May last, and in consequence he must order our detention here till he communicated with the Admiral, and he expected to be back here by the 4th or 5th of next month, also we were to do no recruiting, although I showed him my papers, which authorised me to resume the voyage after "Empreza" was fitted up. The Captain also stated that if we left our anchorage he would take us to Fiji, and before leaving he wrote the foregoing general memorandum in the Log.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG, dated 14th July 1893, Lying at Anchor in Port Havannah.

"I have this day authorised the labour vessel "Empreza" to proceed on her voyage for the purpose of recruiting labourers for Queensland, an extension of her labour licence having been granted to 9th September 1893, by the Queensland Government.

"H. B. LANG,
"Captain H.M.S. 'Tauranga'."

At 4 p.m. H.M.S. "Tauranga" arrived here. Captain Lang came on board and delivered a letter from the Queensland Government authorising me to resume the recruiting, also the foregoing authority.

APPENDIX C.

Barque "Empreza,"

Townsville, September 11, 1893.

SIR,

I HAVE the honour to report that the "Empreza" left Vila on the 21st June, at 3 p.m. Off Took-a-Took we recruited (1) one boy landed by a Samoan ship. At 4 p.m. Queensland labour ship "May" hove in sight, boarded her, and received letters. On the 22nd at 7 p.m. anchored in Havannah Harbour to water ship, H.M.S. "Tauranga" at anchor. 23rd, Lieutenant Pelly boarded the vessel and inspected her. At noon, recruited a time-expired boy of the French Company. On the 24th, at noon, H.M.S. "Tauranga" returned, the Captain came on board with a French trader, who complained we had recruited a boy of his, No. 34, "Drum-Drum," but on inquiry found the complaint groundless, the boy being under no agreement with him. The Captain then produced a printed form from the Admiral stating the "Empreza's" licences expired on the 9th May last, and in consequence must order our detention here till he communicated with the Admiral, and he expected to be back by the 4th or 5th of July, but he did not arrive till the 14th, bringing our release from the Queensland Government. On the 10th July shipped a boats crew (Grie); July 15th, hove the anchor up and steered for Apie, anchoring at Yem You Cove on the 16th. On the 17th, recruited (1) one boy. On the 18th left for Paama, recruited (1) one. 20th, left for Ambrym, anchoring in Champion's Bay same day. On the 21st, left for Dip Point, anchored at 6 p.m., no recruits. On the 26th, weighed anchor and sailed to the northward, anchoring at Rhanun at noon. Recruited one boy here, left on the 28th for Port Sandwich, anchoring at noon and recruiting one boy, No. 39, "Battie," but landed him again on the 10th August, he appearing to be not in his right mind. On the 2nd and 3rd August, recruited (2) two time-expired boys of an old trader here (Mr. Martin). On the 4th left for the Maskelynes, anchoring on the 5th, where we recruited (6) six, five men and (1) one woman. August 9th, hove up and anchored in Port Sandwich same day. August 10th, recruited a time-expired boy of the French Company, the manager, Captain Gaspard, giving his consent. Left on the 11th and anchored in Port Stanley 4 p.m., where we rode out a gale from E.S.E. Left on the 14th, worked the north side of Mallicolo, and anchored at Cape Lisburn 7 p.m. same day. On the 17th recruited (1) one. Left Cape Lisburn, worked up as far as Palier, obtaining (4) four, anchored off Palier on the 22nd.

Mr. McDonald, the missionary here, came on board. Recruited (6) six men and (1) one woman here. Left Palier on the 25th to beat up to Lacona, arriving there on the 28th August, when we watered ship and bought native food. On the 31st, "Grie," the boats-crew shipped in Havannah Harbour, came aft and wanted to recruit, so I discharged him off the articles and recruited him. At 6 p.m. hauled the black ball down, hove the anchor up and set all sail for Townsville, having moderate N.E. winds and rain as far as the Mellish reef, passing it at 4 p.m. September 6th, from there to the Flinders passage light S.E. winds, entering Flinders 10 a.m. on the 10th, and anchored in Cleveland Bay on the 11th, at noon.

In concluding, I have the honour to state the "Empreza" will require a new boat, the one bought in Sydney not being fit for the trade, also several new sails.

I have, &c.

W. H. LAWRENCE,
Government Agent.

At 2.30 p.m. Mr. Wallace, accompanied by the Health Officer, passed the boys, and one boats-crew, "Keeree" (Sam Tanna) recruited.

W. H. L.

To the Immigration Agent,
Brisbane.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
A.	13-6-93	Vila Harbour, Port Sandwich	1		13
A. 1	15-6-93	Took-a-Took, "	1		15
A. 2	23-6-93	Havannah Harbour, "	1		16
B.	17-7-93	Yem You-API	1		23
C.	19-7-93	Paama	1		23
D.	20-7-93	Champion Bay, Ambrym	—		24
D. 1	21-7-93	Dip Point, "	—		24
D. 2	26-7-93	Rhanum, "	1		25
E.	29-7-93	Port Sandwich, Mallicolo	1		26
E.	2-8-93	" "	1	10-8-93 Landed insane.	27
E.	3-8-93	" "	1		27
E. 1	5-8-93	Koliven, "	2		28
E. 1	7-8-93	" "	4		29
E.	10-8-93	Port Sandwich, "	1		30
E. 2	11-8-93	Port Stanley, "	—		31
F.	17-8-93	Cape Lisburn, Santo	1		32
F. 1	18-8-93	Pussy, "	1		33
F. 1	19-8-93	" "	2		33
F. 2	21-8-93	Tass mattee, "	1		34
F. 3	23-8-93	Palier, "	3		35
F. 3	25-8-93	" "	4		35
G.	31-8-93	Black Beach, Lacona	1		37

No. 24.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received November 21, 1893.)

Government House, Brisbane,
October 7, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 17th August 1893,* I beg to enclose, for the information of your Lordship, copy of a letter from the High Commissioner of

the Western Pacific, dated 13th September 1893, in which Sir John Thurston expresses his concurrence with the opinion of the Queensland Government that the recruiting of Pacific Islanders is not rendered illegal by the proclamation of a Protectorate over those Islands.

I have, &c.

H. W. NORMAN.

Enclosure in No. 24.

High Commissioner's Office, Western Pacific,

SIR, Suva, Fiji, September 13, 1893.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 17th ultimo, relative to a statement made in the report of the Government Agent on board the "Lochiel" labour vessel, that recruiting in the Solomon Islands was discontinued in consequence of the proclamation of a Protectorate by Captain Gibson, of H.M.S. "Curaçoa."

2. I concur with the opinion expressed by your Excellency's advisers upon the question submitted them touching the illegality of recruiting Pacific Islanders for service in Queensland since the proclamation of a Protectorate, and may, I think, be allowed to add that Her Majesty's Government in assuming the Protectorate of the Southern Islands of the Solomon Group, had no such intention as seems to have been apprehended by the Labour Agent referred to.

3. Under the new arrangements, I trust that the High Commissioner may be better able to co-operate with your Excellency's Government in enforcing the laws relating to the recruitment of Pacific Island labourers.

I have, &c.

JOHN B. THURSTON.

His Excellency
General Sir H. W. Norman, G.C.B.,
Governor of Queensland.

No. 25.

The MARQUESS OF RIPON to SIR H. W. NORMAN.

[Answered by No. 41.]

Downing Street,

November 30, 1893.

SIR, I HAVE the honour to acknowledge the receipt of your Despatch of the 15th of September,* reporting that it was proposed by your Government to withdraw so much of the prohibition contained in the Regulations made under the Pacific Islands Labourers' Acts as relates to recruiting at the Santa Cruz Groups and the Island of Tongoa, in the New Hebrides.

I should be glad to be informed what was the reason for the prohibition which it is now proposed to remove, and whether I am correct in assuming, in the event of its having arisen from any fear that continued emigration would cause the withdrawal of too large a proportion of the able-bodied population that your Government have taken steps to ascertain that there is no chance of these Islands being unduly depopulated.

I have, &c.

RIPON.

* No. 21.

No. 26.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received December 5, 1893.)

Government House, Brisbane,
October 23, 1893.

MY LORD MARQUESS,

I HAVE the honour to report, for your information, that the Queensland Government has, by notification dated the 13th instant, laid down that no voyage of a ship engaged in introducing Pacific Island labourers, shall exceed the period of six months from the date of the shipmaster's licence authorising such ship to be so employed. This Regulation renders unnecessary clause (e) in No. 1 of the Regulations under the "Pacific Island Labourers Acts 1880-1892," and the clause has accordingly been rescinded.

2. This alteration has been thought desirable in consequence of some misapprehension having arisen out of the manner in which the term "*Limit of voyage*" was understood as stated in the return of vessels licensed to introduce Pacific Islanders. The captain of H.M.S. "Tauranga" recently, on looking at the papers of the labour vessel "Empreza," which had been dismasted, observed that the four months stated in the return as "*Limit of voyage*" had been exceeded, but on reference to the Chief Secretary I found that this limit of voyage had no reference to the period during which a vessel is licensed to carry on the work of recruiting, but was simply a limit supplied by the shipper to the Immigration Department to enable the Government Agent to furnish (under article 5 of the instructions of 20th May 1892) to the Inspector of Pacific Islanders a certificate that the ship's stores are sufficient in quantity and quality for the voyage.

3. As the use of the term is manifestly open to misconstruction, and as the Naval Commander-in-Chief thought it desirable that vessels should only be licensed to recruit for some specified period, an opinion in which I concurred, the revised regulation was issued, and I have forwarded copies of it to the High Commissioner of the Western Pacific and to Rear Admiral Bowden-Smith.

I have, &c.

H. W. NORMAN.

P.S.—The purport of the first Regulation contained in the enclosure to this Despatch, rescinding the prohibition to recruit Pacific Island labourers at the Santa Cruz Islands, and at Tonga, in the New Hebrides, was reported to your Lordship in my Despatch of the 15th ultimo.*—H. W. N.

Enclosure in No. 26.

Supplement to the Queensland Government Gazette, Friday, 13th October 1893.

Chief Secretary's Office, Brisbane,
October 10, 1893.

"THE PACIFIC ISLAND LABOURERS ACTS 1880-1892."

NOTICE.

WHEREAS by Regulation No. 19 of the Regulations made in pursuance of the provisions of the above-mentioned Acts, and published in the "Gazette" of the 21st May 1892, it is provided that the Minister may, by a general direction published in the "Gazette," or by a special direction given on granting a license in respect of any particular ship, forbid the recruiting of labourers at any specified island or islands, and that Government Agents are required to see that all such directions are obeyed; and whereas by a notice published in the "Gazette" of the 16th July 1892 the recruiting of Pacific Island labourers at the group known as the Santa Cruz Islands, and at the Island of Tongoa, in the New Hebrides, was forbidden; and whereas it is now deemed expedient to rescind such prohibition: Now, therefore, I, The Honourable Sir Thomas McIlwraith, Knight Commander of the Most Distinguished Order of St. Michael and St. George,

Chief Secretary of Queensland, being the Minister charged with the execution of the said Acts, do rescind the notification published in the "Gazette" of the 16th July 1892, forbidding the recruiting of Pacific Island labourers at the group known as the Santa Cruz Islands, and at the Island of Tongoa, in the New Hebrides; and all Government Agents and masters of labour vessels are required to take notice of this direction.

THOMAS McILWRAITH.

Chief Secretary's Office, Brisbane,
October 13, 1893.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to rescind clause (e) of Regulation 1, made under the provisions of "The Pacific Island Labourers Act, 1880-1892."

THOMAS McILWRAITH.

Chief Secretary's Office, Brisbane,
October 13, 1893.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following Regulation, No. 55, in pursuance of the provisions of "The Pacific Island Labourers Acts, 1880-1892."

THOMAS McILWRAITH.

55. The voyage of any ship authorised to be employed in introducing Pacific Islanders shall not exceed the period of six months, and shall be deemed to commence from the date of the shipmaster's license authorising such ship to be so employed.

No. 27.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received December 5, 1893.)

Government House, Brisbane,
October 27, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch, of the 29th June last,* in which I reported the departure of the Pacific Island labour vessel "May" from this port, and forwarded information respecting her, I have now the honour to transmit, for your Lordship's information, a copy of a report respecting her recent voyage by the Immigration Agent, which I have received through my Chief Secretary.

I have not thought it necessary to forward the tracings of this ship's course, referred to in the letter enclosed.

I have, &c.

H. W. NORMAN.

Enclosure in No. 27.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
October 2, 1893.

SIR,

THE return of the labour ship "May" to Bundaberg on the 18th ultimo, affords me the honour of reporting upon her recent and 12th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 150 Islanders, and licenses were granted to enable the Master to recruit that number for eight plantations in the Mackay and Bundaberg districts.

* Not printed.

J. P. Doig was the Master and Mr. F. Gooding the Government Agent.

The ship left Brisbane 3rd June last, having 42 returning Islanders on board, and arrived at Tanna on the 16th of the same month.

All the returning Islanders were landed at their proper villages or passages with the exception of one, 34, "Bunog," who was landed elsewhere at his own request (*see* Appendix A.); and 10, "Whatgood," who fell or was lost overboard (*see* Appendix B.).

Recruiting commenced at Ambrym on 28th June, and was prosecuted throughout the New Hebrides and Solomon Groups, finishing at Malayta 1st September, having occupied 65 days, during which period 42 recruits were obtained, 39 males and 3 females.

On the 1st September the ship took her departure from Malayta for Queensland, carrying 42 Islanders, who were brought from the following groups, viz. :—

New Hebrides - - - - - 35

Solomon - - - - - 7

Total - - - - - 42, including 7 previously employed in Queensland.

The Health Officer at Bundaberg passed all the Islanders except No. 25, "Tarra Moley," who requires medical treatment.

With regard to Regulation 46, no money was forwarded by the "May" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

On the 14th July, whilst at anchor at Navatariki, Aobo, the boats were fired upon when returning to the ship, but no harm was done. (*See* Appendix C.)

The Government Agent reports that the boats will be required to be overhauled.

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Officer in Charge.

P.S.—The reason for the shortness of this trip is, I understand, that her (the "May's") owners desired she should return in time to make another before the hurricane months.—
J. O'N. B.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of one case in which an Islander was landed elsewhere than at his own Village during the last voyage of the Labour Ship "May."

Name.	Proper Village.	Island.	Extract.
Bunog 34 Bg. -	Big Bay - -	Santo - -	1893, 27th July.—Landed four returns during the morning at Sarout. "Bunog" requested to be landed with his mates here; he did not want to go to Big Bay.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG, Anchored off Rahnone, Ambrym, 5th July 1893.

About 9 p.m. last night it was reported to me No. 10, "Whatgood," a return Native of Scio* (Torres Group) was missing. Made all possible search but could not find him. About five o'clock in the afternoon he came to me with "Toolattoo," a Motlap† boy,

* Is there any other name by which these Islands are known?

† Have the boy hunted up in the books, and give particulars anent him.

and asked to be landed with him at Motlap, as he did not want to be landed on his own Island. To-day, made all possible search and enquiry on shore, but he could not be heard of. He must have dropped or fallen overboard and got drowned, as some of the returns told me he could not swim, also that he seemed strange in his manner that afternoon, although it was not noticed by any of the white crew. Had his box examined, and found it to contain the usual amount of trade, &c. Had his box secured, and intend to hand it over to his people at Scio.*

FURTHER EXTRACT dated 11th August, whilst off Uraparapara.

Boats left and landed three returns. These are the last of the New Hebrides returns. Returned to the ship 10 a.m.; heavy sea and squally. Set course for Torres Group, having "Whatgood's" box on board. Captain Doig or any one on board, do not seem to know the Island of Scio, in the Torres Group,† and as it is not marked on the chart, we decided to bring the box back.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT's LOG, Labour Ship "May," Anchored at Aoba, 14th July 1893.

Friday, weather fine. Got one recruit before breakfast, No. 25, "Tara-moley." Left again 9 a.m., returning at noon; no success. Left again after lunch, and about 4 p.m., about a quarter of a mile from the ship, we had five shots fired at boats from behind the rocks; the balls dropped short of the boats. The fire was returned, but no harm was done. We then pulled off to the ship.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
A.1.	16.6.93.	Kwamera, Tanna	—	2 N.B.	8
A.2.	16.6.93.	Sangalie, Tanna	—	1	9
B.1.	17.6.93.	Dillons Bay, Erromango	—	—	10
C.1.	22.6.93.	Protection Island, Sandwich	—	1 N.B.	12
D.1.	23.6.93.	Tongoa	—	1 N.B.	12
E.1.	23.6.93.	Api	—	2	12
E.2.	24.6.93.	Burumba, Api	—	3	13
E.3.	26.6.93.	Yum Yum Cove, Api	—	—	14
F.1.	27.6.93.	Ambrym	—	1	14
F.2.	28.6.93.	Dip Point, Ambrym	—	—	15
F.3.	28.6.93.	Ambrym	5	—	15
F.4.	30.6.93.	Rahnone, Ambrym	14	—	16
G.1.	11.7.93.	Navatariki, Aoba	6	2	22
H.1.	19.7.93.	Narovorovo, Aurora	2	1	27
G.2.	20.7.93.	Bice Roads, Aoba	5	—	27
I.1.	26.7.93.	Off Malo	—	1	30
J.1.	27.7.93.	Santo	—	4	31
K.1.	31.7.93.	Black Beach, Lacon	3	4	33
K.2.	4.8.93.	Loso Lava, Lacon	—	3	35
L.1.	5.8.93.	Vanualava	—	7	35
M.1.	10.8.93.	Moto	—	4	38
M.2.	10.8.93.	Vanualava	—	2 and 1 child	38
N.1.	11.8.93.	Uraparapara	—	3	38
A.1.	15.8.93.	Takka Takka, Malaita	2	1	40
A.2.	21.8.93.	Coleridge Bay, Malaita	2	1	43
A.3.	23.8.93.	Feu, Malaita	—	—	44
A.4.	26.8.93.	Auki, Malaita	—	—	46
A.5.	29.8.93.	Alit Bay, Malaita	3	1	47

* See subsequent Despatch (No. 40) as to "Whatgood," who was *not* drowned.

† The place is known on the chart (as I am informed by Captain Mackay, of the "Para,") under the name of Hiw. It is called by the Islanders of different parts Scio, Siw, and Suah, and Sea. The boy "Whatgood," No. 10, was recruited as No. 65, by the "May," 22/4/90, from Scio (Hiw), and served three years with A. H. & S. Young, "Fairymead," Bundaberg. He only had his last pay (3*l.*) when he left the Colony. Box will be sent back in the "May" on the coming trip.

No. 28.

The REV. J. G. PATON to COLONIAL OFFICE.
(Received December 16, 1893.)

[Answered by No. 32.]

KANAKA LABOUR TRAFFIC BETWEEN QUEENSLAND AND THE NEW HEBRIDES.

To the Most Honourable the MARQUESS of RIFON, K.G., Her Majesty's Secretary
of State for the Colonies.

MY LORD MARQUESS,

On the 23rd ultimo your Lordship was good enough to grant me an interview, to place before you my views and those of my colleagues labouring in the New Hebrides on the subject of the Kanaka Labour Traffic between those islands and Queensland.

At the interview there were present with your Lordship Mr. Sydney Buxton, M.P., Under Secretary of State for the Colonies; and the following Members of Parliament kindly accompanied me, viz.:—

Mr. Samuel Smith,
Sir Mark J. Stewart, Bart.,
Sir John Kennaway, Bart.,

I would take this first opportunity of expressing to your Lordship, and to Mr. Sydney Buxton, my sincere gratitude for the opportunity thus afforded me of advocating the cause of the natives of our islands in regard to a traffic that all admit is rapidly depopulating the group.

But your Lordship was good enough to request, at the close of the interview, that I would draw up, and place before you in writing, a memorandum fully setting forth what I consider to be the present aspect of the traffic, omitting all reference to the traffic as conducted previously to 1885, when it was proved before the Supreme Court, and the Royal Commission, to be a system of fraud, kidnapping, and murder.

A. PRELIMINARY.

1. I will endeavour to keep within the scope indicated in your Lordship's request, but I must ask to be allowed, as an essential to a right understanding of the case, to refer to a fact often lost sight of, viz.: that, except for a few months in 1891, the traffic has never been stopped. The revelations of frightful atrocities, through the Royal Commission of 1885, caused a resolution to be passed condemning the traffic, and ordering that, after a lapse of five years, it should be totally abolished, *i.e.*, at the end of 1890. But labour vessels with licenses to recruit were allowed to leave Queensland up to the close of 1890, and kept returning with their loads of recruits until far into 1891; and, as 1892 dawned, Sir Samuel Griffith revived the traffic "for a further term of ten years." So that the only outcome of the Royal Commission, horrible as were the revelations brought to light, was a resolution the effect of which was to throw dust in the eyes of the British nation, and under cover of "Revised Regulations," a traffic admittedly immoral and fraudulent was revived immediately after its lease of existence, by the unanimous consent of the nation, had expired; and more, so strong was the slave interest in Queensland, that the very murderers whose bloodthirsty deeds the Supreme Court and the Commission revealed were reprieved, after a brief imprisonment, at the instance of 80,000 memorialists, and for the reason that "these atrocities had been common, and it was hard to make these men the first victims."

2. I would only add:—

- (a.) That the very same vessels and captains are largely engaged in the traffic now that were engaged in it up to the time of its condemnation in 1885, and until its temporary cessation in 1891;
- (b.) That stringent regulations existed previously to 1885, under which the horrors alluded to were perpetrated, showing that they failed utterly in practice; and
- (c.) That the very recruiting vessels proved by the Commission to have been most guilty had on their kidnapping trips been visited by men of war, and got a clean bill, as fulfilling all the Regulations.

I beg your Lordship to bear the foregoing facts in mind in considering what I now wish to place before you, necessarily at some length, and I plead for a patient hearing.

B. FIRST MAIN CONTENTION.

I hold, and almost every man thoroughly acquainted with the traffic from long residence in the recruiting grounds holds, that *the regulations are impracticable*.

Let me quote a few opinions of Her Majesty's officers, and others who thoroughly know the traffic by experience, and whose words must, therefore, carry weight :—

(a.) Vice-Admiral Erskine, writing to the Times, 25th May 1892, says :—

“Three years' experience, in command of the Australian Station, impressed upon me that, under the most stringent regulations, wrongs and abuses occurred in connection with the Labour Traffic, which invariably led to bloodshed and accompanying complications and reprisals”; and, he adds, “the most carefully devised regulations for the conduct of the Labour Traffic will not prevent wrongs and evils from being committed.”

(b.) Captain Davis of H.M. Ship “Royalist” agrees with this view.

(c.) Sir Arthur Gordon says :—

“I fear it must be confessed that the danger, and even the probability of abuse is enormous”; adding, in regard to the recruiting, that while Governor of Fiji, notwithstanding all our vigilance and all our exertions, illegal things were done which escaped our knowledge altogether; while, as a rule, those things with which we did become acquainted were only made known to us too late for redress or punishment to be possible.” [Letter to “Times” 7th June 1892.]

(d.) Sir John B. Thurston, H.M. High Commissioner for the Western Pacific, agrees with Sir A. Gordon, and adds :—

“I am of opinion that if the Regulations, which I have carefully perused, are properly enforced the number of labourers recruited will be wholly inadequate to meet the demand for them. If, on the other hand, the supply should even approximately meet the demand, I believe that the Regulations will have been in a large measure ignored.” [Blue Book, C. 7,000. April 1893, p. 24.]

(e.) This is the opinion also, many times repeated, of the Mission Synod of the New Hebrides, as likewise of the agents of the London Missionary Society in the Western Pacific, than whom none are better acquainted with the traffic at the recruiting grounds.

(f.) The London Missionary Society at home endorse the same opinion in their letter to Sir Samuel Griffith, saying :—

“Its knowledge of the conditions of life in the Pacific convinces the Board that no regulations, however honestly and skilfully framed, will avail to prevent gross abuse and wrong.”

(g.) The Anti-Slavery Society follow with the same declaration; and also Mr. Robert Louis Stevenson and many others; but I forbear to quote further and similar opinions.

May I now refer to one or two of the Regulations to show the impracticability of working them?

(1.) Regulation 11 requires that :—

“Every return passenger is duly landed, along with his property, not only on his own island, but at his own village or district; and on no account must any islander be landed at any island, village, or district other than the one from which he came originally, unless he expressly wishes it; in which case a full explanation of the circumstances must be entered in the log.”

Now it is well known that the islands are isolated, difficult to navigate, subject to sudden hurricanes, deficient in harbour accommodation, and that the recruiting is done along the shore, as opportunities of calm or a lee shore present themselves. I entreat your Lordship to consider the unlikelihood, nay the impossibility, that the same conditions will be experienced at the various places *on the return of these recruits* after three years' service. Suppose a lee shore, from which a recruit was taken is on his return subject to the full fury of a gale, how can he be landed “at his own village or district”? Or, suppose that, spite of a high sea, the expert recruit by swimming (as all the islanders can) could reach the boat to recruit to Queensland, on his return he must be duly landed “along with his property,” an impossibility, even under the same conditions of

sea in which he was taken away. The smallest experience will cause anyone to see how easily the condition "unless he expressly wishes it" may be made a way out of the difficulty. The poor return Kanaka is forced to decide ("to expressly wish") either :—

- (x.) to be landed at some place other than his own village or district ; or
- (y.) at some adjacent island ; or
- (z.) to return to Queensland for a further term of service.

If he elects the first alternative he will certainly lose "his property" by theft or violence, and probably his life also. If the second (he will not agree to the second condition unless the adjacent island is Christianised, because otherwise it would be certain death to do so) he becomes a charge and a burden on the Christian natives until they can send him home. And if he is shut up to the last condition the captain of the labour vessel has secured an easy and profitable recruit.

Let me give proofs of the foregoing :—

First. I give a recent (1891) detailed example of murder and cannibalism—the result of landing return labourers, though on their own island, at their wrong district—in the following statement by Mr. Watt, the missionary on Tanna, who writes under date 22nd April 1892, saying :—

"Last year the 'Para' labour vessel brought back and landed six return labourers from Queensland. One man and his wife of the party belonged to the other side of the island, but for some reason or other were landed at Weasese. Some people there professed to be their friends, to which the man assented. The 'Para' had left, the people scattered to their villages, and Mr. Grey had resumed his house-building, when a shot was heard. Tanna lads informed Mr. Grey's Anewans that a plot had been laid to kill the man and keep his wife and property. Mr. Grey and his two Anewans now went in the direction of the shot. A Tanna man tried to prevent them, but they had not gone far when, pointing down the brae, an Anewan said 'he is there.' A few yards below, stripped of all except his shirt, against the root of a tree the man lay dead. Tearing open the shirt Mr. Grey examined the body, and found a large hole by which the bullet or charge had entered his left breast ; his right hand was over the wound. Mr. Grey went on to the village and saw Kapakene and Tuman ; the latter was the murderer. They persisted in saying they were the dead man's friends, and that he was killed by other people. Mr. Grey begged the body to bury it, but could not get it. He then offered them too large axes for it, but no. Soon after this man was landed he was coolly murdered, and his wife and property confiscated. The wife has since fled and reached her own land with her sad story. His body was carried 20 miles and given to his enemies, who cooked part of it and threw the rest into the sea."

Secondly. With regard to landing islanders on islands other than their own,—I take an example from the latest Blue Book, C. 7,000 (page 39). The Report of Government Agent Cecil, of the ship "May" concerning the landing of eight men belonging to the Island of Tanna on the Island of Erromanga, contains the following :—

"The particulars concerning the landing of those Tanna men on Erromanga are as follows :—

"As the weather appeared to be fine the master decided to try to get to Tanna to land those people if possible. The boys were called aft, and the master explained to the boys that he was going to Tanna to try to land them, and if they could not be landed that *they would have to go back to Queensland as the weather was so bad that it might be several days before a landing could be made.*

"He explained to them very carefully that the ship would be in great danger in trying to land them, and that they would be in great danger in trying to land.

"This conversation took place about 9.30 a.m. About 12.30 p.m., when the master and myself came back from the missionary's house, we found that the boys had made up their minds to land at Erromanga."

The subsequent circumstance, *i.e.*, the landing at a Christian island, such as Erromanga now is, is merely an accident of the case. The report shows positively that circumstances do and must occur where the regulations *cannot* be carried out. The Immigration Agent's Report (p. 38), with regard to the above case, is suspiciously ambiguous, when he states that the men were landed "*apparently at their own request.*"

If these things are done on islands where missionaries are placed, what may not be done, I urge, on the islands as yet unreached by ours and other missions; and so I say that Regulation 11 is impracticable.

(2.) Again, with regard to Regulation 12, as to the recruiting of women. The Government Agent is ordered—

“To take special care to satisfy himself that a woman desiring to recruit is accompanied by her actual husband.”

How can the Agent satisfy himself? I assert, from an intimate knowledge of the intricacies of the native marriage contracts, that is is absolutely impossible. I could give scores of examples. I quote one only—the very latest case reported:—

My son, the Rev. F. J. Paton, now a missionary on Malekula (Mallicolo), writes in a letter, dated 24th September 1893, as follows:—

“On Saturday, 27th May 1893, Queensland Recruiting Ship “Lochiel,” Government Agent Mr. George Hammond, landed boats five miles north-west of Pangkumu Mission Station on Malekula. Recruited a man, *Merib Nabur*; also contrary to regulations, a woman, who was not his wife, named by two names according to native customs, *Resin Vanue* or *Reverin Bue*. Her husband *Rochor* had not given his consent, and he and her brother *Borang* asked me to report the case. I have sent a complaint to Fiji to Sir John B. Thurston, but there has not been an opportunity of an answer yet.”

(3.) I would call attention here to the “additional instructions to Government Agents,” given on page 15 of the latest Blue Book (C. 7,000), whereby it is required of the Government Agent that—

“For the purpose of ascertaining the age of islanders he is to measure each male islander offering for engagement, . . . round the breast, after expiration, and if the measurement so taken is less than 32 inches the islander must be rejected, unless there are special reasons for believing him to be over 16 years of age.”

This instruction was issued on August 4th 1892. But on November 15th 1892 an order was issued rescinding this new regulation which had in three brief months only been found “unworkable”—an ambiguous phrase, which presumably means that the biggest men had been for the most part recruited and a lower standard must be adopted to get recruits,

Another instance of the ease with which Regulations may be altered if found a hindrance to successful recruiting, showing that to depend on Regulations is a farce and a mockery.

(4.) But, beyond all other perhaps, Regulation No. 14 is the most obviously impracticable. By it the Government Agent is to see—

“That each islander recruited fully understands the nature of the agreement he is to enter into as to rate of payment and especially of duration of service.”

(a.) I call your Lordship’s attention to the too-much overlooked fact that there are certainly 20, and probably 23 or more, *distinct languages* on the New Hebrides. No interpreter on earth knows a quarter of these languages. By what means, then, does the Agent see that the recruit “fully understands the nature of the Agreement”? This question was put to the then Under Secretary for the Colonies (Baron H. de Worms) by Mr. Samuel Smith, on the 18th of May 1892; and even the Baron’s diplomatic reply is sufficient to prove that the Regulation is unworkable. Baron de Worms said:—

“I am aware that there is a great diversity of languages in the islands, and considerable difficulty has in the past been experienced as regards interpretation; but this difficulty is *diminishing* in consequence of the large number of labourers who have now been returned to their homes from Queensland, and other places, and who are able to explain to their fellows the nature of the agreement they were entering into.”

(b.) Here then is an admission that Government Agents depend upon returned labourers to interpret the conditions of Queensland life. How can they check the accuracy of the statements given by the returned labourer to the uninitiated islanders? If a return has an object in getting quit of his fellow he may tell him what lies he likes (heathen natives, as a rule, are inveterate liars); and this is admitted in the British House of Commons to be the sole and only means possible in seeing that Regulation 14 is

enforced. I assert that this Regulation is absolutely not worth the paper it is written upon.

(c.) Take the following examples:—To an adequate comprehension of an engagement a Kanaka must understand four things—the work, the rations, the time, and the wages. How is the nature of the work to be explained on the islands? No plantation there will give an idea of a sugar farm, with its division of labour, its tools, its horses, its machinery, its steam power, &c. As to rations, rice, biscuits, tea, beef, &c., are not in an island dietary. The words “ounce,” “pound,” “hundredweight,” “yard,” “web,” “mile,” &c., &c. have no island equivalents. As to time, their terms are few and vague. The moon, the ripening of the yams, the blossoming of the reeds, &c., rudely measure the lapse of time. As a rule the Kanakas count by “fives.” As to money—an essential part of an engagement—they have none. They buy “in kind.” What idea can a native form of a shilling or a pound? It is a name without a meaning.

(d.) As showing that engagements are not understood, I quote from the “Argus” representative, who last year (1892) accompanied the labour vessel “Helena” to the Solomon Islands that he might depict the traffic as it is conducted. In Letter VII he says:—

“We had now 16 recruits, and I found for the first time that they had a certain amount of English to learn by rote before they reached Queensland. Perhaps this was not absolutely necessary, but it was very evidently regarded as highly desirable. In this matter, too, it was thought that the sooner they learned their lessons, all the better would it be in the end. So when the time came on Sunday for distributing their weekly supply of tobacco and pipes, they were put through their facings. Mr. Ussher (Government Agent) stood at the gangway they had to pass and called them one by one by name. The recruiter stood by with the tobacco and pipes under his charge. The ‘Returns’ were supplied without comment, but when Na Loot, our first recruit, presented himself in answer to his name, Mr. Ussher asked him ‘Where you go work?’ Na Loot smiled helplessly but the recruiter came to his aid with the word ‘Bundaberg.’ Na Loot took his cue and blundered through ‘Bundaberg.’ ‘How long you go work,’ was the next question. ‘Three years’ said the recruiter, and Na Loot repeated the answer parrot-like. ‘How much you get one year,’ Mr. Ussher inquired. ‘Six pounds,’ said the recruiter *sotto voce*, and the recruit said ‘Sixty pounce.’ ‘Where you work along?’ ‘Soogar Cane’ answered Na Loot, echoing the recruiter to the best of his ability, and then he had his tobacco and pipe. All the recruits were coached in the same way, and were told that when they failed to answer correctly they would fail to get their tobacco.”

(5.) I cannot leave the Regulations without calling your Lordship’s attention to the “Extract from Government Agents Log,” Appendix A, page 47, Blue Book C. 7,000, where the Government Agent appeals that—

“*it is an injury to the trade* to send back boys who if they live to be landed have to be carried on shore.”

Obviously this sort of thing tends to retard recruiting by showing the unpleasant side of the traffic to the islanders. And the Agent adds that, since there is no hospital or means of separating sick returns on board the labour ships, these poor wretches,

“when too weak to come on deck, endanger the health of the other boys by casing themselves in their bunks!”

I beg Your Lordship to note that I am quoting from the Government Blue Book the words of the Government Agent, and I plead with you for humanity’s sake to pity these poor human beings thus treated as chattels for trade by British officials on British ships belonging to a British colony.

C. SECOND MAIN CONTENTION.

I assert further that the traffic is unprincipled, and as such is unworthy of an enlightened and Christian colony; and I submit a summary of the grounds for that conviction:—

1. Though the islanders of the New Hebrides have no settled Government, there are communal obligations which are entirely annulled by the removal of the able-bodied

islander from his home. Sir Arthur Gordon refers to this matter in his humane letter to the "Times" of June 7, 1892.

The complications that arise from this cause in tribal life are endless and disastrous.

2. The islands are, by the traffic, deprived of their best manhood, causing rapid depopulation, while the strength and protection of husbands and fathers are withdrawn.

3. The death-rate of the picked healthy men, whose ages vary from 16 to 40, on the plantations, is a perpetual condemnation of the traffic. In 1891, the average over Queensland was 60 per 1,000.

4. Further depopulation of the islands is caused by the introduction of foreign disease through the labour vessels.

Dr. William Gunn, of Edinburgh, a medical missionary on Fotuna, reports in April 1893 :—

"That one-fourth of the population of Fotuna, mostly the young, were
 "destroyed by dysentery, which was brought by a labour vessel from Queensland
 "landing a returned Fotunese woman, with a half-caste child, suffering from this
 "malignant and fatal disease, not endemic to the island."

The vessels are under no rule in this respect, and they can do as they please, with disastrous results.

5. Immorality is fostered on the islands by the withdrawal of the husbands (very few women go to Queensland) ; constant feuds and blood-shedding arise from this source.

6. Immorality is equally fostered on the Queensland plantations, by the presence of perhaps not more than one woman to every twenty native healthy men ; and many of these poor women are done to death, and die in the Queensland hospitals.

7. So liable are the Regulations to abuse, that even in Queensland, where all is said to be fair and righteous, both in the treatment of the Kanakas and the faithful discharge of the obligations for their return at the end of their period, a case has recently seen the light to which I refer your Lordship. The scandal is connected with the Islanders Immigration Department, whereby it is proved that a system of middlemen has been established, who, for large premiums, by lying and bribes, induce the time-expired islanders to extend their time in the Colony, the outlay for bribes being a far more profitable investment to the planters than paying the passage money of a returning labourer and the head-money of a new recruit.* Your Lordship will no doubt have details of the case, and I ask, how can such a system as this Labour Traffic, with all its possibilities of money-making, fail to produce dishonest men ?

8. The absence of a civilised Government at the recruiting grounds, and the isolated position of the islands ; the ignorance—nay, childish simplicity—of the natives, in regard to anything outside their island home ; the system of making presents to his relatives on securing a recruit (a system which has come to be recognised by the natives as "payment" or "exchange" for the recruit), all these things lead to abuse of the Regulations and to certain evil.

9. It is said that the testimony of a native is not received in a case of abuse ; and, even if it were, he could not explain his grievance if he wished, except to his Missionary, since no one else outside his own people (and certainly no white person having jurisdiction) would understand his language ; and I maintain that the most cruelly-wicked argument is that of deducing evidence of non-abuse from the silence of natives on the subject ; for I have seen them cruelly treated in Queensland, and, through fear, give the opposite answer to their employers' question in English that they gave to me when asked in their own native language.

10. Even when a case is reported by the missionary it is ignored, unless specific dates names of ship, captain, agent, and all parties concerned are given, a condition frequently impossible, and always dangerous to the missionary, since in his loneliness he is more or less dependent for friendly assistance, conveyance of mails, &c., upon any passing ship ; and, should he report the recruiters for abuse of the Regulations, he is boycotted, and prejudice stirred up against him in the minds of the natives, leading to difficulty and danger and threatened death. I have myself been saved by friendly natives, who would not be prejudiced against me, from the personal attacks of godless traffickers, captains and agents.

* Public statement in the "Presbyterian" Sydney, of 19th November 1892, by the Reverend Joseph Copeland.

11. I call attention to one instance of abuse, reported on my behalf in Mr. Langridge's letters to the "Daily News" of August 19th and October 15th, 1892. There the fact of attempted kidnapping is clearly established. It happened in 1890. The labour collectors admit the giving of presents as payment "of the price" of the woman; but the Agent-General of the Queensland Government, after making much of the fact that the report was delayed, dismisses it with the bare statement that "inquiry has been made and there is no foundation for the charge." Such a reply is tantamount to accusing the missionary (Mr. Landels) who reported the case of deliberately concocting a fraudulent "case," and backing it up with lying.

(11A.) I refer again to the system of giving presents, and quote a case which was investigated and punished by Captain Davis of H.M.S. "Royalist," as showing that these so-called "presents" are nothing less in native eyes than the "price" for "purchasing" human beings.

In 1890, Rev. Mr. Britton, one of Bishop Selwyn's missionaries, reported that a vessel well known in these seas, and carrying the British flag, was recruiting at Pentecost, and had taken five little boys, for whom they gave Sniders to their friends. Mr. Britton challenged these transactions as a violation of two Labour Regulations, *i.e.*, recruiting boys under age, and supplying firearms to the natives. Mr. Britton reported the case to Captain Davies, of the "Royalist," who, on investigation, found the charge proved, fined the officer and purser 10*l.* each, confiscated the muskets, and liberated the boys, landing them on their own shore; while a further case is reported by the Rev. Mr. Leggatt, in a letter dated May 10th, 1892, and published in the "Argus," Melbourne, of 22nd 1892, as follows:—

"On one of the last trips of the "Helena" at Aoba a case of tobacco was given for every recruit obtained. Sixty-four were so got there, and on an average each case contained 70*lbs.* of tobacco, and, of course, no work was done for the local traders for months after that."

12. I venture to submit that no laws in any civilized country in the world have so entirely to be dependent for their fulfilment on the integrity of a Government officer of subordinate and second-rate rank, and with absolutely no supervision whatever. It is, and ever will be, in all reported cases of abuse, the word of the Government officer against the word of the missionary, and the word of the former always has the preference, because usually, some white "witness" will back it up, whereas the missionary has nothing but native evidence, which is not taken; so that it is absolutely hopeless for him to prove the cases of abuse, since his witnesses are not accepted.

13. In Queensland the Kanakas have no rights of citizenship. They are not free to take employment other than on the plantations. They are collected, selected, and retained by the planter, and are to all intents and purposes absolutely *his bondmen for three years*. Their treatment depends upon the kindness or otherwise of their planter, master, or overseers, just as much as it did in the old days of slavery, except that a Government inspector occasionally visits the plantation, and, the time of his visits doubtless being well known, nothing is awry to his eyes.

14. The best authorities agree that *Papuans* are incapable of continued exertion such as is required on the plantations. The work amongst sugar cane in the tropics is very unhealthy; leading to consumption, and the high death-rate I have already referred to.

15. White labourers are paid highly for work that endangers life; but, with regard to the poor Kanakas, life is reckoned cheaply, and they are considered sufficiently well paid by 4*d.* a day, with rations, for work that would otherwise cost from 5*s.* to 8*s.* a day, the profit going to the planter.

16. I have abstained from putting forward, in a far more painful light than that indicated by the Bishop of Tasmania on page 19 of Blue Book, C.—7000 (clause C., para. 2), the disastrous effect of the traffic on our Christian mission.

(16A.) In this connexion, however I would place on record our deliberate judgment that after 35 years self-sacrificing labour to elevate these savage peoples, during which seven British missionaries have been martyred on our own islands, and some 250,000*l.* of British money has been spent, it is but just that we should receive protection from Britain in our labours—

- (i.) as a duty to us as British men and women;
- (ii.) as a duty to civilization; and

(iii.) I think I may add, as the only method of showing gratitude for the preservation of hundreds of British lives from what, had these islands been left alone, would have been a horrible fate through cannibalism.

17. I merely indicate, therefore, a few of the difficulties brought upon our missionaries in their self-denying work by this selfish and unholy traffic in human beings.

- (a.) In placing a premium on "mission boys" as recruits, on account of their training to habits of industry, honesty, and harmlessness; our best catechumens are thus decoyed away.
- (b.) In offering opportunities for clandestine engagements and escape on the part of disappointed or evil-disposed native men and women, leading to endless complications, and often to bloodshedding on the islands.
- (c.) In the upheaval of family relations through withdrawal of the healthiest and stoutest men, leaving the old men unable to support themselves and a burden on the missionary's slender resources, the children to his care, and the wives to form immoral relations on their husbands' departure.
- (d.) In the feelings of revenge towards white men on account of the non-return of time-expired labourers, leading to such attacks and reprisals as that reported as having taken place on Mallicolo (page 44, Blue Book C., 7000).
- (e.) In the prejudice created against the missionary through the action of his professing Christian fellow countrymen, and the danger to life and property amidst naked savages, resulting, as one missionary graphically states:—

"From the black whirlpool of human passion that every labour ship leaves behind when it lifts its anchor and sails from a haven in these seas."

D.—SANTA CRUZ AND TONGOA. SPECIAL CIRCUMSTANCES AND ALLEGATIONS.

1. I now call your Lordship's special and serious attention to the notice issued by Sir S. Griffith on July 11th 1892, prohibiting recruiting on the Santa Cruz Islands and the Island of Tongoa, in order to point out that that prohibition has just been *withdrawn* for no apparent reason.

I ask your Lordship to ascertain *why*; since it was signed as a solemn assurance to the Chiefs of Tonga (at their own earnest supplication years ago) that no further recruiting should take place from the island?

2. This last matter is referred to in a letter signed "R. S. McKay, Brisbane," which is published in the "Daily News" of November 28th, and which is appended hereto.

I beg to call your Lordship's special attention to this letter for further inquiry.

- (a.) With regard to the withdrawal of the prohibition above referred to.
- (b.) With regard to the fact that the planters, or private parties, own the recruiting ships and engage the captain and crew.
- (c.) With regard to the positive and detailed statement made by Mr. McKay as to the *extra cargo* of "trade," knives, axes, beads, &c., &c., for decoying the natives, which is carried by every ship, contrary to the regulations.

3. I entreat your Lordship, for the honour of the British nation, to take the whole details of this latest letter into consideration, together with those of "Marion Disney" in the "Daily News" of August 16th and October 13th, 1892, which latter, though denied, have never been categorically dealt with.

"The Daily News," Tuesday, November 28, 1893.

LETTERS TO THE EDITOR.

"THE POLYNESIAN LABOUR TRAFFIC.—A FALSE SYSTEM OF RECRUITING.

"SIR,—Again the question of employing Polynesian labourers on Queensland plantations has come to the front, consequent on the passing of a Government measure, the Sugar Works Guarantee Bill, which binds the State as security for 15 years for repayment of advances. The impetus given to the sugar industry by this adroit piece of legislation is stupendous, as it is a virtual assurance that, the State having an interest in the industry, there will be uninterrupted utilisation of South Sea Island labourers for at

least the period of the guarantee—15 years. Recruiting is unusually brisk, and, as new sugar-crushing mills are being erected in many parts of the colony, an augmentation to the present supply of cheap labour to handle the cane on newly cultivated areas has become a pressing necessity. Islands previously closed against recruiting because of excessive depopulation of males have again been thrown open, and, though the Bill has not yet been received from the Upper House, or endorsed by his Excellency the Governor, several vessels have sailed with all speed to Santa Cruz and Tongoa Islands, the prohibited areas.

“When the question of employing Polynesian labour in this colony was under discussion about 18 months ago, opinion generally, except among the planters in Queensland, was in opposition, and the traffic was freely characterised as ‘slavery,’ ‘black-birding,’ &c. On solemn protestations by the then Premier, Sir S. Griffith, that recruiting would be honestly conducted, under vigilant supervision of an experienced official, who would accompany each vessel, so that the abuses of the past could not be repeated, opposition was waived and the sugar planter carried the day. Among other correspondents to your columns at that time was one ‘Marion Disney,’ who, in describing the recruiting system, implied that the ‘boys,’ (as the islanders are called) ‘are induced to go on the big ship, and once there, they are bound for the plantations.’ Probably that lady is correct as to recruiting elsewhere than in Queensland. From several years’ residence in the heart of the sugar industry, as well as from special scrutiny of every phase of the trade since Sir S. Griffith promised absolute honesty in recruiting, I must conclude that system is not ‘half smart enough,’ as Jonathan would say, for the planters. They have a system that is a revelation, the more so that, despite the voluminous regulations that dog the traffic at almost every step, just where one bit of laxity is apparent, it is availed of openly under the eyes and with the cognizance of the Government agent, the enforcer of the law. It is not generally known that the vessels engaged in this traffic are the property of the planters, who man each vessel, the Government agent alone being paid by the State. Before sailing on a recruiting cruise, stores—food and clothing—for the round voyage, which must not exceed six months, are taken on board. These stores are carefully supervised by the Resident Polynesian Inspector at each port of embarkation. But the vessel carries a great deal more over which there is no supervision, nor in the loading of which is there let or hindrance. A cargo of miscellaneous wares, called ‘trade,’ representing in value 500*l.* or 600*l.*, forms the most important part of the equipment of every recruiting vessel, and without which the business might be abandoned. These wares consist of knives, tobacco, pipes, tomahawks, needles, looking glasses, long and short-handled axes, Jew’s harps, earthenware armlets and bracelets, felt hats, gaudy-coloured handkerchiefs, strings of bright-hued beads, &c. Arrived at an island the anchor is generally lowered when two or three miles from the coast. When the natives desire to recruit, or rather the ‘trade’ boat to come ashore, they invariably show themselves on the beach or light a fire. The boatswain on the voyage to the islands becomes the ‘recruiter’ when there, and he is the direct medium on behalf of the planters in securing ‘recruits.’ Operations are commenced by lowering two boats, the recruiter’s containing one white man and two Kanakas; the Government agent’s, manned by two white men and three Kanakas. Each man is armed with a Winchester or Snider, the agent and recruiter carrying a revolver. In the first-named boat is the ‘trade’ chest, containing a variety of the articles mentioned. These are gifts from the planters to the friends of recruits, and at first sight this seems a considerate move to assuage their grief at parting. The friends may choose goods to the value of from 1*l.* to 3*l.* Giving presents in this way is ‘a standing rule of the trade,’ practised by the French, German, Fijian, &c.; all, except the British, including fire-arms and fire-water. As he nears the shore with the Government agent about four boat’s lengths behind him, he (the recruiter) turns his boat’s stern on to the beach, but does not land. His oarsmen are ready to pull off at a moment’s notice, and have their weapons ready in case of sudden attacks from the natives. As the natives gather round, the recruiter asks them in pigeon-English if they wish to ‘volunteer’ for Queensland. When one steps forward he is immediately followed by his friends for their present. Now the ‘trade’ chest comes into requisition. The scene is exciting as they are handling the different wares, but midst it all, if the presents do not satisfy them, they will not allow their ‘boy’ to leave the island. What follows? Almost within grasp, is the recruit to be lost for the sake of a few more sticks of tobacco, another tomahawk, or string of beads? No, says the planter, who has provided accordingly; and the beads, tomahawk, and tobacco are given; the friends are satisfied and consent; then, and not till then, the ‘recruit’ recruits. This is what the Government of Queens-

land and the planters uphold as honest recruiting! Physical kidnapping, strictly speaking, it is not, but certainly it partakes of barter, bribery, or decoying. It is the white man's wares versus the black man's body. The strange point is that no Queensland Act or regulation has been framed to deal with this feature of the traffic, and every vessel carries its supply of 'trade' with as much regularity as it carries food and water. It is openly done, evidently with the support and protection of the law in the person of the agent, who would use his weapon if he saw interference with the recruiter. The Pacific Islanders Protection Act, better known as the Kidnapping Act of 1872 (an Imperial measure), has the following :—Section 9, clause 1.—If a British subject 'decoys ' a native of any of the aforesaid islands for the purpose of importing or removing such ' native into any island or place other than that in which he was at the time of the commission of such offence, &c., he shall be guilty of felony, and, on conviction, to the ' highest punishment other than capital punishment.'

"Again: Section 9, clause 5.—'If any British subject ships, lades, receives, or puts ' on board, or contracts for the shipping, lading, receiving, or putting on board of any ' vessel money, goods, or other articles, with the intent that they should be employed, ' or knowing they will be employed, in the commission of any of the offences above ' enumerated, he shall be guilty of felony,' &c. Does that Act not apply to this traffic? If it does, why is it not enforced? There is a fleet in the South Pacific Ocean, and why have they not seen that this evasive method of recruiting long ere this might fittingly be inquired into? Polynesian labour is the mainstay of the Queensland sugar industry, as 'trading' is the mainstay of successful recruiting. This traffic can never be conducted satisfactorily under the control of a Colonial Government; the interests of interested parties render it at all times difficult to make legislation what it ought to be. If the honour of the Empire is to be maintained, the Mother Country has a clear duty to perform, to proclaim a protectorate over these islands in the Southern Seas; and, if agreeable to allow transport of the natives to the mainland, to do so by means of specially appointed representatives of high integrity, wholly beyond the influence of the planters.

"In view of the extension of the industry and increased importation of islanders mentioned in the early part of my letter, I leave it to you and to the British public who cherish civilisation and human brotherhood as something worth striving after, to say if the Australian colonists, who otherwise bear a good reputation, are to be stigmatised as upholders of a nefarious system of muffled slavery. I enclose my card.

"I am, &c.

R. S. McKAY."

"Brisbane, October 18.

E. CONCLUSION.

1. In conclusion, let me point out how frequently Sir James Garrick and others, in replying to accusations against the traffic, have assured the public that, so long as Sir Samuel Griffith was Premier of Queensland, there was no room to doubt that all abuses would be carefully inquired into and the Regulations duly enforced. I have, I trust, pointed out the *impossibility* of enforcing the Regulations: but I would add that, almost immediately after the last declaration of the Queensland Agent-General to the above effect, Sir S. Griffith resigned the Premiership and is no longer officially responsible. But I must refer to two incidents in regard to this traffic in the public life of Sir S. Griffith that closely touch upon the issues at stake:—

(a.) He declares that I never reported to him the cases of abuse of women that I saw evidenced in a Queensland hospital, in company with two ladies and the Presbyterian minister of the place, forgetting that, at his own invitation, I waited upon him officially, and detailed verbally all that we had seen, as also I commented upon it publicly in my lectures and addresses throughout the Colonies.

(b.) With regard to the unproved accusations (page 58, Blue Book, C. 7000), wickedly and maliciously made against our missionaries by Government Agent Rannie (who, be it noted, shot himself immediately on landing in Australia), accusations that are a tissue of lies from beginning to end, and wrongly allowed to appear in a Government Blue Book, as being irrelevant to

the subject (Polynesian Labour Traffic) treated in that book, and entirely unproven, I am credibly informed that Sir Samuel Griffith gave these charges to the world immediately on receiving them, and without any attempt at inquiry or probation.

I would beg to be allowed also to add, with regard to those charges, that, when they were challenged lately the editor of a Sydney paper (the "Presbyterian") declared, without contradiction, that the story does not refer to the New Hebrides Mission at all.

It is easy to show in a few words why these stories circulate. Traders on the islands are, as a rule, bad men. They settle down, sell muskets, powder, &c. In time, every native who wishes gets firearms and ammunition; he then ceases to bring cocoanuts to the trader. The presence and work of the missionary stops fighting, and the trader's business ceases. He at once blames the missionary. If he were not there the natives would fight, and that means more ammunition, &c.

"The fact is," writes my missionary son this month, "the law which says 'English traders shall not sell muskets' is almost a dead letter, and very little 'disguise about it.'"

2. I do not refer to the Bishop of Tasmania's letter favouring the traffic, except to say in one word that the Bishop judges by hearsay evidence obtained on a flying visit, whereas my colleagues and I, the naval officers, the High Commissioner, and the Missionary societies, whose opinion I have quoted under Main Contention B., judge from long residence on the islands, and from an intimate (and painful) daily acquaintance with the traffic as it came before us at our posts of duty. No evidence but this is of any practical value in settling the matter.

3. I dare not trespass further on your Lordship's time, though I would fain linger to fill in the details of facts that proved every statement I have made in this letter. But I do solemnly assure your Lordship, without bias or prejudice against planters, agents, or crews, that the *system* of securing Polynesian labour for the Queensland plantations is a relic of the bygone and barbarous past, a veiled system of slavery, robbed to some extent of its bloodshed and murder, but carried on by deceit and allurement, by bribes and plausibility, through the agency of trained native decoys, under cover of armed boats' crews, captains, and Government agents, in regions far from the vigilant eye of law (save for the occasional visit, hailed with joy by missionaries and natives, of one of Her Majesty's ships, with their noble officers, men of honour, of kindly heart and noble bearing, who so impartially seek to administer justice and uphold the proud honour of the Queen and nation), I repeat that while humanity is at a very low ebb in the South Sea labour collectors, and while deeds can be perpetrated on *speechless natives*, whose dark bodies alone are desired for the energy that can be forced out of them to fill the coffers of white men, while the planters own labour ships and hired captains and crews, and while a handsome premium is given all round for Kanaka recruits, the traffic is bound to be a curse and a degradation to all engaged in it, a disgrace to the colony that legalises it, and a blot on the fair name of Britain.

4. I entreat your Lordship to hear the heartfelt plea of an old man, burdened with the evils that are heaped upon his defenceless people, just as they are emerging from the long black midnight of gross heathenism and cannibalism. Oh, that my beloved country would rise and stamp out this foul system, that the land of Wilberforce and Clarkson, that the Britain whose blood and treasure has been freely sacrificed to enable her to assume the proud honour of a NATION THAT NEVER OWNS A SLAVE, a nation which prefers death to bondage, that my own loved homeland would add to its roll of glorious triumphs this, that her children must not, and shall not, disgrace her name by playing with a deadly system that has in the past, and must in the future, lead to abuse, bloodshed, and God-dishonouring cruelty, little short of that accursed thing called slavery.

I have, &c.

JOHN G. PATON, Missionary,
New Hebrides.

2, Park Quadrant, Glasgow,
December 1893.

No. 29.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.
(Received December 28, 1893.)

MY LORD,

High Commissioner's Office, Western Pacific,
Suva, Fiji, November 22, 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 16th June 1893,* transmitting a copy of a letter from Mr. A. K. Langridge, which appeared in the "Westminster Gazette" newspaper, commenting on certain statements made by Mr. Rannie, Government Agent of the Queensland labour vessel "Empreza," with respect to the New Hebrides missionaries.

2. The subject in question had already been brought under my notice by Governor Sir Henry Norman, who favoured me with a copy of Mr. Rannie's report, dated the 19th December 1892.

3. Mr. Rannie's charges had also been brought informally to my notice while in Sydney during the month of May last, by the Rev. D. McInnes, B.D., who, with others interested in the Presbyterian Mission to the New Hebrides, offered me all the information and assistance in his power to verify the truth or otherwise of the charges made.

4. I believe that, after acquainting myself with the heads of Mr. Rannie's report, in so far as it concerned the missionaries, I expressed an opinion that there must be some mistake or misunderstanding at the bottom of Mr. Rannie's accusation, but since receiving from Sir Henry Norman a copy of the report itself, and studying it, I feel it would have been more reasonable to have said that such charges, written with strong animus in every sentence, and occasionally involving contradictions, were unworthy of credit. That is the opinion which, after a long acquaintance with missionaries in all parts of the Western Pacific, and a careful perusal of Mr. Rannie's report to the Queensland Government, I now wish to record.

5. Since your Lordship's Despatch reached me, neither time nor opportunity has enabled me to visit the New Hebrides, but I have been enabled to make personal inquiries of the Rev. D. Macdonald, the Rev. A. H. Macdonald, and the Rev. T. W. Leggatt, all missionaries of the Presbyterian Church to the New Hebrides. These gentlemen give a positive denial to many of the statements made by Mr. Rannie, and I should certainly accept their testimony. In respect of the alleged absence of all the missionaries from Malekula—Mallicolo—they have shown to my satisfaction that he was wrong. I venture to think that Mr. Rannie was something more than wrong.

6. Missionaries in the New Hebrides are occupied in a very difficult task, which would be sufficiently severe if they had to contend with the conditions of savage life only. It is deeply to be regretted that, in addition to the numerous troubles and trials incident to their savage surroundings, and a malarious climate, they should be made the subject of gratuitous attacks, such as those contained in the report to which attention has been drawn by Mr. Langridge.

7. As an instance of the worth of Mr. Rannie's statements, I may quote the following: "I was informed on good authority that a trader on Api by mistake opened a case addressed to a missionary on that Island, and found it packed with rifles and ammunition. Many of the traders accuse the missionaries of competing with them." Mr. Rannie does not say in what trade they are charged with competing with traders. If in the traffic in firearms, the accuser must be himself self-accused. And it would be interesting to know under what circumstances Mr. Rannie's informant opened cases of goods addressed to what is described as a competing missionary.

8. Mr. Rannie does not state which of the two missionaries resident on the Island of Api is referred to. It is not unreasonable to suppose that the "good authority" quoted furnished Mr. Rannie with information of the particular character he believed him to be in want of. This habit is a very common one in the Western Pacific, and accounts for the vagueness of some of the charges and the absence of information enabling others to be tested.

* No. 7.

9. Mr. Rannie has been for many years a Government Agent in the Queensland labour service, and the traffic is one which he is likely to favour. The missionaries do not favour the traffic, and he displays a strong animus against them accordingly. He says he "saw three large churches of the French Jesuit priests, and the priests hard at work too, while the Presbyterian missionaries are minding other people's affairs." The statement that the Presbyterian missionaries are minding other people's affairs either means that, in Mr. Rannie's opinion, the labour traffic does not concern them, or it borders on gratuitous impertinence.

10. Mr. Rannie seeks to belittle the efforts of the Presbyterian missionaries by laying exaggerated stress on the "holidays" which they are compelled, for health's sake, to take, and many of which are taken advantage of to pass through the press translations of parts of the Scriptures into native tongues. On the one hand, Mr. Rannie makes statements as to absences of missionaries from their posts which are not in accordance with fact, and, on the other, ignores the numerous missionaries who at the time of his visit were at their posts.

11. Mr. Rannie tells how three quarters of his return labourers offered up prayers and sang hymns before going to bed. I hope this statement has more foundation in fact than others which Mr. Rannie has made. At any rate, I know that in some parts of Queensland efforts are being made to instruct imported labourers, and I have no desire to depreciate such excellent efforts. But when Mr. Rannie says "such evidences of Christianity I (he) have never witnessed during all the years I (he) have cruised among the New Hebrides," I feel constrained to say that the Presbyterian Mission can point to much better evidence of the progress of Christianity in the New Hebrides than is afforded by the mere fact of praying and singing on board a labour vessel.

12. I will name as an instance the Island of Erromonga. The Rev. Mr. Robertson has been established there over 20 years. He settled there within three months of the murder of his predecessor. The following murders of missionaries had already taken place, viz.: of Mr. Williams, Mr. Harris, Mr. and Mrs. Gordon, and the younger Gordon. For some 18 months Mr. Robertson had to live in a stockade, and about six years ago an attempt was made on his life. At the present time the whole Island has accepted Christianity.

13. But Erromonga sends away very few recruits, if any. It is to be noted that the "Empreza" landed one return labourer, and recruited none. Aneiteum is now wholly Christian, but it is not visited by labour vessels. Futuna is, I believe, Christian, and sends away no labourers. Tongoa, Mai, and Guna are Christian. Recruiting at the former was till last month forbidden by the Queensland Government, and there does not appear to be any now at the two latter. When an Island becomes Christian it appears to cease to be a good recruiting ground, and it does appear to me, though I may be wrong, that the interests of Christianity and the labour trade are in many respects at variance.

14. As regards the number of "old hands" who recruit again, this is no doubt proof of the general good treatment of labourers in Queensland. It may be remarked, however, that neither the missionaries nor other opponents of the labour traffic have shown any strong desire to raise this question. Their point is that the system is productive of serious evils in the homes of the Natives recruited, that is, in the Islands. But Mr. Rannie is wrong in presuming that "one has only to compare the appearance of the fine healthy look about a ship load of return Islanders with that of a load of recruits to mark the vast improvement three years 'will have' worked." He might have said "will have worked on those who survive."

15. I have dealt with the subject of Mr. Rannie's report very briefly, because I considered it unnecessary to write more fully. If it were needed, it would be possible to give much more information regarding the labours in the New Hebrides of the Presbyterian missionaries. As regards the particular charges against them submitted for my consideration, I consider them generally unworthy of credit; so far as they are made with sufficient clearness to permit of direct reply, they are specifically denied.

I have, &c.

JOHN B. THURSTON.

No. 30.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received January 1, 1894.)

MY LORD MARQUESS,

Government House, Brisbane,
November 21, 1893.

I HAVE the honour to forward, for your information, a copy of a report, which I have received through my Chief Secretary, by the officer in charge of the Immigration Department, respecting the voyage of the labour vessel "Roderick Dhu," and I enclose copy of a letter which I have to-day addressed to the Chief Secretary in acknowledging the report.

2. I have not thought it necessary to forward with the enclosures to the report the tracing of the ship's course, alluded to in the report.

I have, &c.
H. W. NORMAN.

Enclosure in No. 30.

Department of Immigration
Pacific Island Labour Branch, Brisbane.
November 8, 1893.

SIR,

THE return of the labour ship "Roderick Dhu" to Maryborough on the 28th ult. affords me the honour of reporting upon her recent and twenty-second voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 127 Islanders, and licenses were granted to enable the master to recruit that number for five plantations in the Maryborough, Bundaberg, and Townsville Districts.

Gilbert Norman was the master and Mr. George T. Olver the Government Agent.

The ship left Maryborough on the 10th June last, having 13 returning Islanders on board, and arrived at Tanna 29th June.

All the returning Islanders were landed at their proper villages or passages, with the exception of three, who were landed elsewhere at their own request. (*See Appendix A.*)

Recruiting commenced at Tanna on the 4th July, and was prosecuted through out the New Hebrides and Banks Groups, finishing at Lacon 19th October, having occupied 105 days, during which period 93 recruits were obtained—77 males and 16 females. The undermentioned returning Islander died during the passage of consumption, 2 Mbgh. A, "Tarrogesse," of Lacon.

On the 29th of August, a female, No. 43, "Witt-tambo," who had been recruited on the previous day as the wife of 42, "Alla Manga," was returned to her proper husband, the Government Agent finding upon inquiry that she was not the wife of the Islander named. She was subsequently recruited with her husband, 45, "Putalool." Respecting this case, I have obtained a special report from the Government Agent, Mr. Olver, because, although it was afterwards satisfactorily settled, there are two questions which might be raised, viz. :—

1. Was Regulation 32 obeyed within the strictest meaning of the term as to the consent of the Chief?

2. Although the Natives intimated previously that a recruit or recruits would be ready at sundown, was the Government Agent justified in going ashore for them at about 8 p.m., when it must have been dark, and could hardly be called a reasonable working hour, under Instruction 31. My own opinion is that the recruiting should have stood over until the morning. (*See Appendix B.*)

Recruit No. 60, "Walloon," disappeared from the vessel on the 22nd September. (*See Appendix C.*)

On the 18th of October the ship took her departure from Lacon for Queensland carrying 91 Islanders, who were brought from the following groups, viz. :—

New Hebrides	67
Banks	24
Total	91

Including 29 previously in Queensland,
 2 „ Sandwich,
 1 „ Samoa,
 1 „ Noumea,
 And 1 „ Fiji.

With regard to Regulation 46, no money was forwarded by the “Roderick Dhu” this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the Islanders excepting four, two of whom were sent to the hospital for treatment, and two, Nos. 57 and 65, were rejected as too young, and must be returned to their native islands. (See Appendix D.)

The Government Agent reports that one of the boats was fired upon on the 26th of September, but no harm was done. (See Appendix E.)

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

I have, &c.

J. O’N: BRENNAN,
 Officer-in-Charge.

The Principal Under Secretary,
 Brisbane.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT’S LOG, of a case in which three Islanders were landed elsewhere than at their proper Village during the last voyage of the Labour Ship “Roderick Dhu.”

Name.	Proper Village.	Island.	Extract.
Lovemie, 9 m.	Corararah	Tongoa.	15th July 1893.—Arrived at Tongoa at 11 a.m., and landed four Returns. “Lovemie,” No. 9; “Tyrrnie,” 10; “Pagua,” 11; and “Se ma net,” 12, at Ahwoisy, an Island quite close to Tongoa, where No. 9, 10, and 11 were met by their friends, having apparently shifted from Tonga since the boys were recruited.
Tyrrnie, 10 m.	Bullavan	”	
Pagua, 11 m.			

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT’S LOG, Labour Ship “Roderick Dhu,” Aoba, 28th and 29th August 1893.

August 28th.—About 8 p.m. a cooe was heard, and the boat went ashore and brought off a Native, 42, “Alla Manga,” and his wife, 43, “Witt-tambo,” saying that the Chief would come off in the morning to receive pay for them.”

August 29.—“The boats left the ship at 6 a.m., returning at 8 o’clock. When I got back I found a large number of Natives on board, one of whom claimed to be the husband of the woman recruited last evening. On making inquiries I was convinced that such was the case, and she was handed over to her proper husband, greatly against her wish and in bodily fear of her life.”

Wood Street, South Brisbane,
November 6, 1893.

The recruiting of "Alla Manga" and "Witt-tamba."

SIR,

"ALLA MANGA," with many other Natives, including the Chief, "Oondoo," had been on board during the day of the 28th of August, and also the day previously, and he mentioned that at sundown he, with others, was coming off to recruit, so that we were on the lookout.

About 8 p.m. a cooe was heard, and the two boats went ashore to the rocks, I accompanying them. On getting to the place we found "Alla Manga" and "Witt-tamba." I put the question to the former if the latter was his wife, and he said "yes." I told him that I should have to get the consent of his Chief, when he replied that the Chief would be off to the ship next morning, and that it would be all right.

When we got on board, and in the presence of the captain, I again asked "Alla Manga" if "Witt-tamba" was his wife, and he said, "yes"; being an English speaking Native, who had been to Queensland before, I believed him, feeling confident that he would not deceive me when his people were expected on board the next day, and so he, with "Witt-tamba," were recruited.

Finding that what "Alla Manga" had told me was untrue, I at once ordered her to return to the shore with her proper husband, and her name was struck off the list.

J. Brennan, Esq.,
Immigration Agent.

I have, &c.
GEORGE T. OLVER,
Government Agent.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Ship "Roderick Dhu," Santo,
September 22, 1893.

"During the night one of the recruits, 60, 'Walloo,' disappeared, taking with him the shirt, trousers, and belt supplied to him on joining."

APPENDIX D.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Ship "Roderick Dhu," Santo,
September 19, 1893.

The boats left the ship at 9 a.m., and went along the coast buying yams, &c. and getting three recruits, brothers, named 57, "Tahwiah;" 58, "Gostall;" and 59, "Sustall." The latter was 15 years of age and small, but, as the two elder were anxious to recruit, and unwilling to leave their younger brother behind with no one to take care of him, and the captain undertaking to see that if passed by the inspector, at Maryborough, he would be put to light work, I consented to take him.

APPENDIX E.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Ship "Roderick Dhu," Santo,
September 26, 1893.

Weighed anchor at 5.30. At 9 a.m. the boats were lowered to a smoke, and went ashore and purchased a lot of cocoa nuts, and, because the recruiter would not buy a pig and some yams they had, they followed us along the coast. After going some distance a cooe was heard, and the boats returned to it, but seeing no one, went on again. After getting away about a quarter of a mile a cooe was again heard, and a Native seen waving; the boats again pulled back, and on the first boat getting close to the rocks the Natives opened fire upon it, which was returned by both boats. Fortunately, no one in either boat was hit, although the first shot went very close to the first boat.

Reference Letter and Number.	Date.	Place of call.	Number recruited.	Number landed.	Page in Log.
A 1	29 June 1893	Black Beach, Tanna	—	—	17
A 2	4 July 1893	Black Rock "	1	—	19
B 1	10 "	Alamatuah Moonah	—	4	24
"	12 "	" "	4	1 died	25
"	13 "	" "	2	1 passenger	26
C 1	16 "	Off Abuoisy	—	4	28
D 1	17 "	Nelson's Bay, Api	1	—	29
"	18 "	" "	3	—	30
D 2	19 "	Burumba	—	1	31
"	20 "	" "	2	—	32
"	21 "	" "	1	1	33
"	22 "	" "	1	—	34
D 3	24 "	Foreland	—	—	35
E 1	25 "	Palma	—	—	36
F 1	28 "	Rodd's Anchorage, Ambrym	—	—	39
"	31 "	" "	9	—	41
G 1	4 August 1893	" Pentecost	—	—	43
G 2	5 "	Waterfall	—	—	44
"	7 "	" "	1	—	45
G 3	8 "	Battiu Apiu	—	—	45
H 1	10 "	Nacoaroo, Maibo	1	—	47
"	11 "	" "	2	—	48
H 2	12 "	Naroveroo "	—	—	49
H 3	14 "	Double Waterfall, Maibo	—	—	50
"	16 "	" "	7	—	51
"	17 "	" "	2	—	52
I 1	20 "	Bice Road, Aoba	1	1	54
I 2	23 "	Ambussie "	—	—	55
I 3	25 "	Loondoo "	—	—	56
I 4	27 "	Duin Dui	—	1	58
"	28 "	" "	2	—	59
"	29 "	" "	1	—	60
"	30 "	" "	1	—	61
"	31 "	" "	1	—	62
"	1 September 1893	" off Aoba	4	—	63
J 1	3 "	Espiegle Bay, Mallicolo	—	—	64
K 1	5 "	Tangoa, Santo	—	—	65
K 2	11 "	Cape Listern, Santo	—	—	67
K 3	13 "	Lack a rui "	4	—	68
K 4	14 "	Pussey "	—	—	69
K 5	15 "	Tasset mana "	—	—	69
K 6	18 "	Soolee "	2	—	71
"	19 "	" "	4	—	72
K 7	21 "	Palier "	1	—	73
"	22 "	" "	4	—	74
"	23 "	" "	3	*1 deserted	75
K 8	25 "	Valpaivai "	1	—	76
K 9	27 "	Jordan River "	—	—	77
K 10	29 "	Big Bay "	—	—	77
L 1	3 October 1893	Black Beach, Lacon	3	—	79
"	4 "	" "	2	—	—
"	6 "	" off Lacon	7	—	81
"	7 "	" "	1	—	82
"	9 "	" "	4	—	83
" 2	10 "	Black Beach, Lacon	—	—	84
"	11 "	" "	1	—	84
" 3	14 "	Massivona	—	—	85
"	16 "	" off Lacon	5	—	86
"	17 "	" "	1	—	86

* 1 deserted; p. in Log, 74.

Government House, Brisbane,
November 21, 1893.

SIR,

IN acknowledging the receipt of your letter of the 16th inst., with enclosures, respecting the late voyage of the labour vessel "Roderick Dhu," I have the honour to remark that, as it is most desirable to avoid any approach to irregularities in the recruitment of Pacific Islanders, it would have been better if a boat had not been sent ashore to bring off recruits at 8 p.m. on the night of the 28th August, and if the woman falsely

alleged to be the wife of Alla Manga had not been brought off on that occasion, in anticipation of the sanction of the Chief.

In this case it would seem that Regulation No. 32 and Clause 31 of Instructions to Government Agents were not fully carried out.

2. The recruitment of Sustall, said to be 15 years of age and small, and who was rejected on arrival in Queensland as too young, was not justified under the terms of Regulation No. 29.

I may remark that, as you are aware, the whole of the system of recruiting Pacific Islanders is very jealously watched, and that it is of the utmost importance that the Agents should act strictly according to the rules laid down for their guidance.

I therefore bring these two instances under your notice, although they are mentioned in the report of the officer in charge of the Pacific Island Labour Branch of the Department of Immigration, copy of which goes to the Secretary of State.

I have, &c.

The Hon. the Chief Secretary

H. W. NORMAN.

No. 31.

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

[*Answered by No. 52.*]

SIR,

Downing Street, January 13, 1894.

I HAVE the honour to transmit to you, for communication to your Government, copies of a letter* from the Rev. J. G. Paton, and of the reply† which has been returned to it, respecting the Queensland labour traffic.

Mr. Paton alleges only one case of infringement of the new Queensland regulations, that being a case of recruiting a woman at Malekula without her husband, and I have to request that you will draw the attention of your Government to it.

I have, &c.

RIPON.

No. 32.

COLONIAL OFFICE to the REV. J. G. PATON.

SIR,

Downing Street, January 13, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter,‡ received in this Department on the 16th ultimo, respecting the Queensland labour traffic, and I am to state that his Lordship has read the letter with much interest, and desires to express his thanks for the very full statement of your views which it contains.

As regards the general position of Her Majesty's Government in relation to this matter, I am to draw your attention to the letter from this Department of the 7th of October 1892, to the British and Foreign Anti-Slavery Society, printed at page 9 of C. 7000 of 1892. You will gather from that letter that, as was explained to you at your interview with Lord Ripon and Mr. Buxton, the practical question, so far as this Department is concerned, is whether serious cases have occurred of infringements of the new Queensland regulations of 1892, and whether offences against the Pacific Islanders Protection Acts have been committed by Queensland vessels licensed since that date.

It is evidently premature to attempt to make out a case of such a kind, as your letter does not allege a single instance of kidnapping, violence, or other criminal offence since the recruiting was re-established on a different and, it is hoped, a more humane basis; indeed, you only quote one alleged instance of the infringement of the new Queensland regulations, namely, the case of the recruitment of a woman at Malekula without her husband. The attention of the Colonial Government will be drawn to this case; but, it is obvious, from the difficulties arising out of the intricacies of the native marriage contracts, to which you yourself refer, that that was a case in which a mistake might easily have been *bonâ fide* made.

* No. 28.

† No. 32.

‡ No. 28.

There appears, therefore, to be no sufficient reason for concluding that abuses still prevail to such an extent as to make it expedient or desirable that Her Majesty's Government should take the extreme step of suppressing all recruiting by British ships. Lord Ripon remarks that you do not mention any case drawn from your own experience, and that the opinions that you yourself offer, and those which you quote, differ materially from the recorded opinions of other authorities on the subject, such as those of the late Bishop of Melanesia, of the Bishop of Tasmania, of the Bishop of Brisbane, of the Convener of the Queensland Presbyterian Mission, as well as of the Governor of Queensland, from whom frequent and detailed reports are received.

I am to add that the intention of the Queensland Government to permit the resumption of recruiting from Tongoa and the Santa Cruz Islands was reported to Lord Ripon, and that some weeks ago a Despatch was addressed to Sir H. Norman inquiring what reason had operated to cause the change.

I have, &c.

JOHN BRAMSTON.

No. 33.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received January 15, 1894.)

Government House Brisbane,
December 8, 1893.

MY LORD MARQUESS,

IN continuation of my Despatch of the 21st ultimo,* enclosing a report on the late voyage of the labour vessel "Roderick Dhu," I have now the honour to forward, for your Lordship's information, a copy of the Chief Secretary's letter of the 25th ultimo, respecting certain irregularities connected with this ship's voyage.

A copy of my letter of the 21st November, calling the Chief Secretary's attention to the two cases in which the Regulations had been infringed, accompanied my Despatch of that date.

Your Lordship will observe that the Immigration Agent has been instructed to impress upon the Government Agent concerned the necessity of strictly observing the Acts, Regulations, and Instructions to Government Agents, relating to the recruitment of Pacific Island labour.

I have, &c.

H. W. NORMAN.

Enclosure in No. 33.

Chief Secretary's Office, Brisbane,
November 25, 1893.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 21st instant, calling attention to the report of the late voyage of the labour vessel "Roderick Dhu," which contains particulars of two cases in which the Regulations do not appear to have been fully carried out, and to inform your Excellency that I have caused the Immigration Agent to be instructed to impress upon Mr. Olver, the Government Agent on board that vessel, the necessity for strictly observing the Acts, Regulations, and Instructions to Government Agents.

I have, &c.

HUGH M. NELSON.

His Excellency
Sir Henry W. Norman, G.C.B., &c.,
Governor.

No. 34.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received February 19, 1894.)

MY LORD MARQUESS,

Government House, Brisbane,
January 10, 1894.

I HAVE the honour to forward, for your information, a copy of a report received from the Immigration Department, respecting the late voyage of the labour vessel "Ariel."

2. Your Lordship will observe from the Immigration Agent's letter of the 27th ultimo, that the Government Agent has been requested to furnish a further explanation* respecting the case of the recruits 48 "Oosie," and "Waroba" 49.

A copy of this explanation shall be forwarded to your Lordship when received.

I have, &c.

H. W. NORMAN.

Enclosure in No. 34.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
December 27, 1893.

SIR,

THE return of the labour ship "Ariel" to Bundaberg, on the 9th instant, affords me the honour of reporting upon her recent and 20th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 88 Islanders, and licenses were granted to enable the Master to recruit 80 for five plantations in the Bundaberg District.

W. A. Connell was the Master, and Mr. J. E. B. Hammond the Government Agent.

The ship left Bundaberg 6th September last, having 31 returning Islanders on board, and arrived at Tanna on the 22nd of same month.

All the returning Islanders were landed at their proper villages or passages, with the exception of two, who were landed elsewhere at their own request. (See Appendix "A.")

Recruiting commenced at Tanna, 22nd September, and was prosecuted throughout the New Hebrides group, finishing at Malo on the 15th ultimo, having occupied 55 days, during which period 63 recruits were obtained, 62 males and one female.

On the 1st December the ship took her departure from Santo for Queensland, carrying 63 Islanders, who were brought from the New Hebrides, including :—

Seven previously employed in Queensland.
Two previously employed in Noumea.
Four previously employed in Samoa.
One previously employed in Fiji.
Two previously employed in Sandwich.

With regard to Regulation 46, no money was forwarded by the "Ariel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the Islanders with the exception of Nos. 26 and 50, who were sent to the hospital for treatment.

The Government Agent reports that a shot was fired at the boats off Tanna, and the fire returned, but no harm was done. (See Appendix "B.")

I enclose herewith tracing† of the course of the ship showing places where Islanders were landed and recruited.

* See No. 49.

† Not forwarded.

(APPENDIX "C.")

An extract from the Government Agent's log is appended hereto, having reference to a statement made by the Rev. J. T. Landels to Mr. Hammond, whilst at Malo, on 13th November, to the effect that recruits 48 "Oosie," and 49 "Waroba" F. were not man and wife. I have obtained a report from Mr. Hammond on the subject, but have deemed it necessary to obtain further explanation, which will be forwarded to you when received from him. Mr. Hammond is at present on leave of absence in Sydney.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

The Principal Under Secretary,
Brisbane.

APPENDIX "A."

EXTRACTS from the Government Agent's log of cases in which Islanders were landed elsewhere than at their proper villages, during the last voyage of the labour ship "Ariel."

EXTRACT.

Name.	Proper Village.	Island.
28 Warro	Warolam	Makura.

1893, 8th October. Mai.—Blowing an easterly gale with heavy rain squalls. Made an attempt to land Return No. 28 at Merkura, but could not fetch the island owing to heavy sea, and strong wind. We were forced to run to Mai for shelter, anchoring under the lee side at 11 a.m. It has been blowing hard from the eastward for the past fortnight, making the islands unworkable, excepting on the lee sides.

9th October. Off Mai.—Return No 28, Warro, landed here by request, as the weather is too bad to land at Merkura just now. The distance from Mai to Merkura is about two miles, and the natives frequently go across in canoes in fine weather.

EXTRACT.

Name.	Proper Village.	Island.
1 Ahmore	Oahave	Tongariki.

1893, 10th October.—Return No. 1., Ahmore, landed here by request. Some relatives of his who were on a visit to Mai came on board and saw him, he then came to me and asked permission to go ashore with them. His relatives informed me that, as soon as fine weather set in, they were going back to Tongariki in their canoes. The natives of the Shepherds group and Mai frequently visit each other.

APPENDIX "B."

EXTRACT from the Government Agent's log, labour ship "Ariel," dated Tanna, 27th September 1893.

Whilst recruiting off Sowscaue to-day a shot was fired from the shore, and one of my boat's crew returned the fire before I could prevent him. I do not think any harm was meant to the boat, as we had a recruit belonging to Sowscaue in the boat at the time, and also an interpreter in the recruiting boat belonging to the same passage.

APPENDIX "C."

EXTRACT from the Government Agent's log, labour ship "Ariel," Malo, 13th November 1893.

The Rev. J. T. Landels came on board to-day, and made a statement to the effect that Recruits No. 48 "Oosie," and No. 49 "Warobo" F., were not man and wife. I called the man and woman down to the cabin and elicited the following facts ;—

1. "Oosie" admitted having run away with the woman about four months ago, and since then they have been living as man and wife.
2. "Warobo" admitted having run away with "Oosie," as she suffered ill-treatment from her former husband, and emphatically refuses to go back to him.

I am given to understand that the punishment for a woman running away from her man, is that her legs are stretched apart and made fast, and a fire lit between them ; hot stones are also fastened to the joints of the limbs, this barbarous practice sometimes killing the women, and always seriously injuring them.

Payment in pigs or money can settle an affair of this kind, which I believe has been done in this case.

SIR,

Brisbane, December 29, 1893.

IN answer to your memorandum, dated 21st instant, I have the honour to inform you that, at the time I recruited "Oosie," and "Warobo" F., there was a large number of natives on the beach, "Oosie" and "Warobo" stepped into the recruiting boat, and from it to my boat. I put the usual questions to them as to their being man and wife, and then made further inquiries from the natives on the beach, amongst whom were two or three chiefs, and from what I heard I was satisfied, so took them on board and signed them on. In the afternoon Mr. Landels came aboard in his boat, accompanied by a number of friends and relatives of "Oosie" and "Warobo," and made the statement as to their not being man and wife. After the inquiries were made, I told "Oosie" I should have to send "Warobo" ashore again, and "Oosie" replied that if I did he would go too ; by doing this I should have lost two good recruits. I then left them to talk to their friends. Asked Mr. Landels that if "Oosie" and "Warobo" went ashore, did he think they would continue to live together as before, and he replied that he believed they would. Inquired about their marriage laws, and found that buying and selling women was the usual custom, and a man could have as many wives as he liked. I also ascertained that the men were in the habit of stealing the women from each other, and the strongest party always retained possession. Asked Mr. Landels why he did not stop this wretched custom, and he confessed he had no power over them. It must be borne in mind that Malo is the most immoral island in the group, and in days gone by was much frequented by men-o'-war, whalers, &c., and even now the men are always wanting to sell their women for an immoral purpose. The population is small, numbers having died out on account of syphilis, which is very prevalent amongst them. A number of women wished to recruit with the "boys," but, as I could not get any satisfactory information as to their being married, I did not take them. The customs of the island are horrible and revolting, and the women are cruelly treated, and do all they can to run away in the vessels calling there.

I may say that Mr. Landels interferes with every vessel that calls at Malo, and was exceptionally annoyed with us, as some time previous to our calling he wanted some work done by the natives, and they not complying willingly with his request, he informed them that next year (1894) the French were going to annex the island, and they would then have to work for nothing or be ill-used. The natives were much upset about this and determined to recruit for Queensland at the first opportunity, and we just happening to turn up at the time, they recruited, much to Mr. Landels' annoyance. Trusting this explanation will have your favourable opinion.

I am, &c.

J. E. B. HAMMOND,
Government Agent.

To the Officer in Charge,
Pacific Island Labour Office, Brisbane,

"Ariel" Trip No. 20.

Reference, Letter, and Number.	Date, 1893.	Place of Call.	Recruits.	Returns.	Pages in Log.
A. 1	Sept. 21-23	Wea Sissi, Tanna	2	—	6-8
2	" 24-30	Black Beach, "	18	—	8-12
3	Oct. 1-3	Dillons Bay, Erromango	—	—	12-13
4	" 4-5	Deception Island, Sandwich	—	—	14
5	" 6-7	Noora-matua, Moona	—	1	15
6	" 6	Pele Island	—	1	15
7	" 7	Malasow, Sandwich	—	5	15
8	" 8-11	Mai Island	4	2	16-18
9	" 13-15	Foreland, Api	—	8	19-20
0	" 16-18	Big Bay, "	5	—	21-22
B. 1	" 19-21	Paama Island	5	—	22-23
2	" 21-23	Champions Bay, Ambrym	—	—	23-24
3	" 23-25	Tolbebelu, "	2	—	24-25
4	" 25-27	Rancoo, "	3	—	25-26
5	" 28	Roddo Anchorage, "	—	—	27
6	" 29-30	Toadstool, Pentecost	—	—	27
7	" 31	Molosisey, "	4	1	28-30
8	Nov. 2	Bougara, "	1	—	29
9	" 2	Wanoah, "	—	2	29
0	" 3-5	Fiji Bay, "	—	2	30-31
C. 1	" 4	Batlango, "	1	—	31
2	" 6	Lougauna, Aoba	—	1	32
3	" 7	Walahu and Nobatarike, Arba	—	5	32
4	" 9-10	South East Islands, Malo	1	—	34
5	" 11	Nanhooohoo, "	1	—	34
6	" 12-15	Unsua bacoora, "	16	—	35-39
7	" 16-17	Espiegle Bay, Malicolo	—	—	39-40
8	" 19	Ooncoah, "	—	1	41
9	" 22-23	Black Beach, Lacoona	—	2	42
0	" 25	Avarez Bay, Vanua Lava	—	—	43
D. 1	" 27	Ureparapara Island	—	—	44
2	" 29	Big Bay, Santo	—	—	45

No. 35.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received February 24, 1894.)

Westbrook Hall, Toowoomba, Queensland,
January 17, 1894.

MY LORD MARQUESS,

I HAVE the honour to forward, for your information, a copy of a report, which has been furnished by the Immigration Department, respecting the late voyage of the labour vessel "Helena."

I have, &c.

H. W. NORMAN.

Enclosure in No. 35.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
January 9, 1894.

SIR,

THE return of the labour ship "Helena" to Bundaberg on the 1st instant affords me the honour of reporting upon her recent and 26th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 90 Islanders and licenses were granted to enable the Master to recruit that number for six plantations in the Bundaberg District.

W. R. Reynolds was the Master and Mr. S. M. Smith the Government Agent.

The ship left Bundaberg 24th August last having 72 returning Islanders on board and arrived at Tanna on the 10th September.

All the returning Islanders were landed at their proper villages or passages with the exception of five who were landed elsewhere at their own request. (*See Appendix A.*)

Recruiting commenced at Tanna 11th September, and was prosecuted throughout the New Hebrides and Banks groups, finishing at Api on the 19th December, having occupied 100 days during which period 84 recruits were obtained, 83 males and one female.

The under-mentioned Returning Islander died, during the passage, of diarrhœa:—

27th August B.G. 33. "O Connem," from Api.

On the 21st December the ship took her departure from Api for Queensland, carrying 84 Islanders who were brought from the following groups, viz.:—

New Hebrides	-	-	-	-	-	82
Banks	-	-	-	-	-	2

Total - 84 including

22 previously in Queensland.

1	"	"	Sandwich.
1	"	"	Mallicolo.
2	"	"	Gana.
1	"	"	New Caledonia.

With regard to Regulation 46, the sum of 6*l.* 16*s.* was distributed to relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the Islanders with the exception of Nos. 14, 24, 22, 53, who were sent to the Hospital for treatment, and 76, rejected, suffering from "abdominal tuberculosis."

The Government Agent reports that Returning Islander 80, "Macatavor," wounded another in a fit of temporary insanity with an axe and was kept in irons till landed. The injured man was afterwards landed quite recovered. (*Appendix B.*)

I enclose herewith tracing* of the course of the ship showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of five cases in which Islanders were landed elsewhere than at their proper Villages during the last voyage of the Labour Ship "Helena."

Name.	Proper Village.	Island.	Extract.
			1893.
46. Numehal -	Mallasa -	Sandwich -	16th September. Undine Bay.—At noon, landed No. 46, "Numehal," at passage, Suveree, instead of Malassa, at his own request, his tribe having shifted quarters during his absence.
5. Loosoo -	Port Bamba -	Api - Big Bay -	22nd September.—At 2 p.m., allowed Return 5, "Loosoo," to go ashore to visit his tribe some six miles inland, on his promise to return next morning. 23rd September.—At 9 a.m., Return No. 5 returned with about 30 men of his tribe and asked to be allowed to take his box ashore. I tried to persuade him to remain in the ship with the other Returns for Port Bamba without success, so allowed him to land with his effects.
29. "Sikko" - 31. "Miih" -	Woo - " -	Api - " -	24th September.—At 9 a.m., allowed Returns No. 29, "Sikko," and 31, "Miih," to land to find their tribe; at noon they returned to the ship (having found them) and took their boxes ashore.
4. "Taraibo" -	Belier -	Motlap -	7th November.—At 4 p.m., hove to and landed at mission station, Mili Bay, Return B. J. 4, "Taraibo," at his own request, there being too much sea on at his proper passage, Belier.

* Not forwarded.

APPENDIX B.

EXTRACTS from the GOVERNMENT AGENT'S LOG, Labour Ship "Helena," at Sea.

9th September 1893.

At 9 p.m. last night one of the returns (a rejected recruit), 80 "Macatavor" went mad, and with an axe, kept in the hold for cutting firewood, attacked some of the returns, inflicting a deep gash of some two inches in length above the left ear of one of them; we sewed and bandaged the wound up, and put the madman in irons. The injured man is 30 "Tabin," a native of Api.

23rd September 1893.

Api. At 4 p.m., landed at his passage, Wah, Return No. 30, "Tabin," who has nearly recovered from effects of wound given by Return No. 80.

22nd September.

Big Bag, 9 a.m. Landed the following male Returns (for the villages Nagow, Bosare, Boorkeah, Nalce, and Ngoura, all at various passages around Big Bag), B. C., 37, "Ungi"; 65, "Cooley"; 66, "Telanoh"; 67, "Bungah"; 68 "Timveango"; 79, "Agee," 1; and 80, "Macatavor"; the latter has been quite quiet ever since September 8th, although kept with one leg in irons.

"Helena," Voyage 26.

Reference Letter and Number.	Date.	Place of Call.		Number Recruited.	Number Landed.	Page in Log.
		Passage.	Island.			
A. 1	Sept. 11, 1893	Kwamera	Tanna	1	—	10
" 2	" 12, "	Ageet	"	—	11	10
" 3	" 16, "	Suveree	Sandwich	—	1	12
" 4	" 19, "	Nfow and Nearba	Nguna	7	—	14
" 5	" 20, "	Cahave	Tongariki	—	5	14
" 6	" 21, "	Bulatam and Lounasakan	Tongoa	—	15	15
" 7	" 22, 23, "	Ngow and others (Big Bay)	Api	—	8	15, 16
" 8	" 23, "	Wah	"	—	1	16
" 9	" 24, 25, "	Burumba	"	1	2	16
" 10	" 27, "	Port Bamba	"	—	4	18
B. 1	" 28, "	Sakan	"	2	1	18
" 2	" " "	Murat	Mai	7	—	18
" 3	Oct. 3, 7, "	Jake and others	Pasma	21	—	21, 23
" 4	" 9, "	Rhanine	Ambryn	—	3	24
" 5	" 10, 12, "	Kverly and others (Big Bay)	Pentecost	5	1	24, 25
" 6	" 13, "	Narvougaboo	Aurora	—	1	26
" 7	" " "	Boyombo; Linganna	Aoba	—	4	26
" 8	" 14, "	Talimboo	"	1	—	26
" 9	" " "	Walloiki	"	—	3	26
" 10	" 15, "	Vathookumbani and others	"	—	13	27
C. 1	" 16, "	Noumie and others	"	—	4	27
" 2	" 18, "	Matanguin	"	—	1	28
" 3	" 26, "	Pussey	Esperitu Santo	2	2	32
" 4	" 30, "	Antisera	Gana	1	—	34
" 5	Nov. 3, "	Uroll	Ureparapara	1	—	36
" 6	" 7, "	Mili Bay	Valua	—	1	38
" 7	" 13, "	Wynvari and Bungarmere	Aoba	3	—	41
" 8	" 17, "	Belagalaga	"	1	—	43
" 9	" 22, 25, "	Pankuma and others	Mallicolo	14	—	46, 47
" 10	Dec. 2, "	Evannalli	"	1	—	51
D. 1	" 12, "	Burumba	Api	1	—	56
" 2	" 13, 21, "	Foreland; Yemu Cove; Lamenu Road.	"	15	—	56, 59

No. 36.

SIR H. W. NORMAN to the MARQUESS OF R. PON.
(Received March 10, 1894.)

MY LORD MARQUESS,

Toowoomba, February 1, 1894.

I HAVE the honour to forward, for your Lordship's information, a copy of a Report from the Immigration Department, respecting the late voyage of the Queensland labour vessel "Lochiel."

I have, &c.

H. W. NORMAN.

Enclosure in No. 36.

Department of Immigration,
Pacific Island Labour Branch,

SIR,

Brisbane, January 16, 1894.

THE return of the labour ship "Lochiel" to Bundaberg on the 5th instant affords me the honour of reporting upon her recent and 19th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 143 Islanders, and licences were granted to enable the master to recruit that number for Fairymead plantation in the district of Bundaberg.

Robert Pearn was the master, and Mr. A. Thompson the Government Agent.

The ship left Bundaberg on the 13th September last, having 10 returning Islanders on board, and arrived at Tanna on the 22nd September.

All the returning Islanders were landed at their proper villages or passages, with the exception of one who was landed elsewhere at his own request. (*See Appendix A.*)

Recruiting commenced at Tanna on the 23rd September, and was prosecuted throughout the New Hebrides, Banks, Torres, and Solomons groups, finishing at Guadalcanar on the 29th December, having occupied 98 days, during which period 119 recruits were obtained: 111 males and eight females.

On the 29th December the ship took her departure from Guadalcanar for Queensland, carrying 119 Islanders, who were brought from the following groups, viz. :—

New Hebrides	-	-	-	-	24
Banks	-	-	-	-	39
Torres	-	-	-	-	14
Solomon	-	-	-	-	42
Total	-	-	-	-	119

including—

37	previously in Queensland,
3	„ Samoa,
1	„ Noumea,
1	„ Sandwich.

With regard to Regulation 46 no money was forwarded by the "Lochiel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

On the 26th of December, Recruit No. 45, "Tarree," died of consumption.

The health officer passed all the Islanders.

The Government Agent reports that T. C. Kerry, O.S., was discharged at Aoba on the 16th October. This was in consequence of a wordy quarrel with the mate and one of the crew, particulars of which were forwarded to your office on the 2nd instant.

Mr. Thompson reports that the vessel is in good order, but requires to have her ballast taken out before proceeding upon another voyage, as he is informed it has been

four years in the ship. The boats are in fairly good order, with the exception of the recruiting boat, which requires to be overhauled.

I enclose herewith tracing * in duplicate of the course of the ship, showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG, in which one Islander was landed elsewhere than at his proper Village, during the last Voyage of the Labour Ship "Lochiel."

Name.	Proper Village.	Island.	Extract.
8. Naromessfe -	Pangkum -	Mallicolo -	1893, September 28th. Mai.—At 6 a.m. we got under way. At 10.15 a.m. we were off Protection Island, Sandwich, and landed two Islanders there, Locholotovarow (native boatman) and No. 8, "Naromessfe." The boatman was paid wages due to him, his time counting from September 9th. No. 8 "Naromessfe" is a native of Pangkum, Mallicolo. He asked to be landed at Protection Island, giving as his reason for not wishing to go to his own place, that he had seduced one of the girls there, and that he would be killed directly he was landed. He also informed me that the boatman was an old friend of his, and that he had previously lived a year at Sandwich.

SOLOMON ISLANDS.

Reference Letter and Number.	Date.	Place of Call.	Number recruited.	Number landed.	Page in Log.
D.	20 Nov. 1893	San Christoval bore W. 26' - - -	—	—	50
D. 1	21 Nov. 1893	Between San Christoval and Ulawa - - -	—	—	50
D. 2	22 Nov. 1893	Off S. End, Malayta - - -	—	—	51
D. 3	23 Nov. 1893	Off W. Coast, " - - -	—	—	52
D. 4	24 Nov. 1893— 26 Nov. 1893	Barnah, " - - -	—	—	52-53
D. 5	26 Nov. 1893— 29 Nov. 1893	Allaholo, " - - -	1	—	53-55
D. 6	29 Nov. 1893— 1 Dec. 1893	Su, " - - -	1	—	55-56
D. 7	1 Dec. 1893	Allaholo, " - - -	—	1	56
D. 8	2 Dec. 1893— 4 Dec. 1893	Wea Cissi, " - - -	4	—	56-57
D. 9	4 Dec. 1893— 6 Dec. 1893	Wairo Kai, " - - -	—	—	57-58
D. 0	6 Dec. 1893	Pow, " - - -	—	—	58
E.	7 Dec. 1893— 9 Dec. 1893	Supina, " - - -	3	—	59-60
E. 1	10 Dec. 1893— 11 Dec. 1893	Mappo, " - - -	1	—	60-61
E. 2	12 Dec. 1893	Off Tyoh, " - - -	—	—	61
E. 3	13 Dec. 1893— 19 Dec. 1893	Hooroo, " - - -	17	1	62-66
E. 4	19 Dec. 1893— 22 Dec. 1893	Kwi, " - - -	6	—	66-67

Reference Letter and Number.	Date.	Place of Call.	Number recruited.	Number landed.	Page in Log.
E. 5	22 Dec. 1893—	Fokinakavo, Malayta - - - -	7	—	67-68
	23 Dec. 1893 }				
E. 6	24 Dec. 1893				
E. 7	25 Dec. 1893				
E. 8	26 Dec. 1893				
E. 9	27 Dec. 1893	Off Moran, Guadalcanor - - - -	—	—	71
E. 0	28 Dec. 1893—	Moran Sound, Gaudalcanor - - - -	3	—	71-72
	29 Dec. 1893 }				

NEW HEBRIDES.

Reference Letter and Number.	Date.	Place of Call.	Number recruited.	Number landed.	Page in Log.
A.	22 Sept. 1893—	Wea Cissi, Tanna - - - -	2	—	13
	24 Sept. 1893 }				
A. 1	24 Sept. 1893—	Black Beach, Tanna - - - -	—	—	15
	25 Sept. 1893 }				
A. 2	26 Sept. 1893—	Vila H', Sandwich - - - -	—	—	15-17
	28 Sept. 1893 }				
A. 3	28 Sept. 1893	Protection Islands, Sandwich - - - -	—	1	17
A. 4	28 Sept. 1893—				
	29 Sept. 1893 }	Mai - - - -	—	—	17-18
A. 5	29 Sept. 1893	Makara - - - -	—	3	18
A. 6	29 Sept. 1893—				
	30 Sept. 1893 }	Sakaw, Api - - - -	—	—	18-19
A. 7	30 Sept. 1893—	Champion's B., Ambrym - - - -	—	—	19
	1 Oct. 1893 }				
A. 8	1 Oct. 1893—	Dip Point, Ambrym - - - -	—	—	19-20
	2 Oct. 1893 }				
A. 9	2 Oct. 1893—	Rodd's Anch., Ambrym - - - -	1	4	20-22
	6 Oct. 1893 }				
A. 0	6 Oct. 1893—	Batnapree, Pentecost - - - -	18	—	22-26
	13 Oct. 1893 }				
B.	14 Oct. 1893	Longanna, Aoba - - - -	1	—	26
B. 1	14 Oct. 1893—				
	16 Oct. 1893 }	Longangwa, Aoba - - - -	—	—	26-27
B. 2	16 Oct. 1893—	Lornee, Aoba - - - -	—	—	27-32
	17 Oct. 1893 }				
B. 3	18 Oct. 1893—	Wallah, Mallicolo - - - -	—	—	32-33
	20 Oct. 1893 }				
B. 4	20 Oct. 1893—	Port Olry, Santo - - - -	—	—	33-35
	24 Oct. 1893 }				
B. 5	24 Oct. 1893—	Big Bay, Santo - - - -	2	—	35-37
	27 Oct. 1893 }				
B. 6	28 Oct. 1893	Off South Coast, Lacoona - - - -	—	—	37
B. 7	29 Oct. 1893	Off S.W. Coast, Lacoona - - - -	—	—	38
B. 8	30 Oct. 1893	Unwarbool, Lacoona - - - -	—	1	38
B. 9	31 Oct. 1893	Off S.W. Coast, Motelap - - - -	—	—	39
B. 0	1 Nov. 1893	Off N.W. Coast, Uraparapara - - - -	6	—	39
C.	2 Nov. 1893	Off N. Coast, Uraparapara - - - -	9	—	40
C. 1	3 Nov. 1893—	Malee, Motelap - - - -	8	—	40-42
	6 Nov. 1893 }				
C. 2	6 Nov. 1893—	Quinnbisop, V. Lava - - - -	—	—	42-43
	7 Nov. 1893 }				
C. 3	7 Nov. 1893	Rowo - - - -	2	—	43
C. 4	7 Nov. 1893—	Back, Vanua Lava - - - -	4	—	43
	8 Nov. 1893 }				
C. 5	8 Nov. 1893—	Avoeas, B. V. Lava - - - -	10	—	44-45
	11 Nov. 1893 }				
C. 6	12 Nov. 1893—	Black Beach, Lacoona - - - -	1	—	46
	13 Nov. 1893 }				
C. 7	14 Nov. 1893—	Pakea, V. Lava - - - -	—	—	47
	15 Nov. 1893 }				
C. 8	15 Nov. 1893	Mota - - - -	—	—	47
C. 9	16 Nov. 1893—	Toga (Torres) - - - -	14	—	48-49
	17 Nov. 1893 }				
C. 0	17 Nov. 1893	Lo (Torres) - - - -	—	—	49

No. 37.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received March 19, 1894.)

Westbrook Hall, Toowoomba, Queensland,

February 3, 1894.

MY LORD MARQUESS,

I HAVE the honour to forward, for your Lordship's information, a copy of a report furnished by the Immigration Department, and dated the 25th ultimo, respecting the late voyage of the labour vessel "Sybil."

I have, &c.

H. W. NORMAN.

Enclosure in No. 37.

Department of Immigration,

Pacific Island Labour Branch, Brisbane,

SIR,

January 25, 1894.

THE return of the labour ship "Sybil" to Mackay, on the 11th instant, affords me the honour of reporting upon her recent and sixth voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 116 islanders, and licenses were granted to enable the master to recruit that number for three plantations in the district of Mackay.

George Cater was the master and Mr. A. H. N. Ussher the Government Agent.

The ship left Maryborough on the 9th of August last, having 83 returning islanders on board, and arrived at Guadalcanar on the 16th of the same month.

All the returning islanders were landed at their proper villages or passages, with the exception of six who were landed elsewhere at their own request (*see* Appendix A.).

The under-mentioned returning islanders died during the passage:—

18th August—No. 1 Mky., "Murrumburre," of heart disease.

2nd October—No. 2 Mky., "Tovara," of consumption.

Recruiting commenced at Malayta, 16th August, and was prosecuted through the Solomon and New Hebrides groups, finishing at Tanna on the 30th December, having occupied 127 days, during which period 90 male recruits were obtained. Of these, No. 5 was sent on board the mission steamer "Southern Cross," at his own request; and Nos. 42 and 74 were returned to the shore at their own request, the latter on account of sickness.

On the 30th of December the ship took her departure from Tanna for Queensland carrying 87 islanders, who were brought from the following groups:—

Solomon	-	-	-	-	-	69
New Hebrides	-	-	-	-	-	18
Total						87 Including—
14 previously in Queensland.						
5	"	"	"	"	"	Samoa.
2	"	"	"	"	"	Noumea.

With regard to Regulation 46, no money was forwarded by the "Sybil" this voyage to relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the islanders with the exception of Nos. 15, 40, 44, 48, 54, 60, and 62, who were rejected as being under age; and two others, Nos. 20 and 76, were forwarded to the hospital for treatment.

I enclose, herewith, tracing* in duplicate of the course of the ship, showing places where islanders were landed and recruited.

The Government Agent reports that the vessel seems in very good order and repair.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

P.S.—Captain A. Tornaros, owner of the “Sybil,” was allowed to go this voyage as passenger and to act as pilot.

J. O'N. B.

The Principal Under Secretary,
Brisbane.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG, in which six islanders were landed elsewhere than at their proper villages during the last voyage of the labour ship “Sybil.”

Name.	Proper Village.	Island.	Extract.
			1893.
Bg. 28, “Myvery”	Ooroo	Malayta	19th August.—Anchored at Langa Langa. Landed the three followings boys here—their friends had come to live at Langa Langa while the boys had been in Queensland. With the aid of an interpreter I satisfied myself that such was the case, so landed them at their request. 28 Bg., “Myvery.” 30 Bg., “Haguaw.” 35 Bg., “Garvo.”
„ 30, “Haguaw”	„	„	
„ 35, “Garvo”	Few	„	
Bg. 27, “Faralia”	Ooroo	„	20th August.—A canoe came round from Quie and the three following returns requested to leave, as their friends were there in it. I made inquiries through an interpreter, and also amongst the other returns, and found it correct, so allowed them to go away in the canoe with their friends as desired. 27 Bg., “Faralia.” 19 Mky., “Alquou.” 20 Mky., “Allmy.”
Mky., 19, “Alquou”	Quie	„	
„ 20, “Allmy”	„	„	

No. 38.

SIR J. B. THURSTON to the MARQUESS OF RIPON.
(Received March 29, 1894.)

High Commissioner's Office, Western Pacific,
Suva, Fiji, February 17, 1894.

MY LORD,

I HAVE the honour to enclose copy of a correspondence forwarded to me by the Rev. J. Gillan, of Malekula, in the New Hebrides, with respect to the landing at Uripiv, in the island of Malekula, from the Queensland labour vessel “Ariel,” of two return labourers belonging to a place 25 miles distant, and of a letter† I have addressed to the Governor of Queensland on the subject.

Even assuming that no influence was used by the Government Agent, or the Master of the “Ariel,” to induce these natives to land at Uripiv, I can only regard this occurrence as unsatisfactory, whilst the fact that the natives were not entered in the Government

* Not forwarded.

† See Enclosure 1 in No. 47.

Agent's log as having been landed in the manner stated above is open to an inference unfavourable to the Agent.

I have, &c.

JOHN B. THURSTON.

Enclosure in No. 38.

Mr. GILLAN to DEPARTMENT OF PACIFIC ISLAND IMMIGRATION.

SIR,

Uripiv, Malekula, November 5, 1892.

I HAVE the honour to bring under your notice the following circumstance.

On Friday, October 14th, the labour vessel "Ariel," Government Agent Mr. De Veaux, landed five Kanakas on the Islet of Uripiv, where I reside (one of the Stanley Islands).

The vessel did not anchor, and the boats were only on shore about 15 minutes.

Mr. De Veaux told me that two of those returned did not belong to Uripiv, but to a village on Malekula, about 25 miles to the south. He, however, said that they wished to be landed with the three Uripiv men.

After the vessel left, these two came to my house saying they wished to stay with me till they could get to their own village. They brought their boxes to my house and lived there.

I then found that though they had "consented" to land at Uripiv they did not wish to do so, and had only done it under persuasion. Although living with me, the Uripiv men got most of their property from them before they left.

As I was leaving Uripiv, for Victoria, on October 28th, I had to take them with me and leave them at Aulua, at or near which place they ought to have been landed by Mr. De Veaux. The names they go under now are Ambong and Maso. Their passage cost them ten shillings (10s.) each.

I promised to apply to you, on their behalf, for this amount, which I now do.

I have, &c.

JOHN GILLAN.

Mr. GALLOWAY to Mr. GILLAN.

Department of Pacific Island Immigration, Queensland.

Pacific Island Labour Office, Brisbane,

December 7, 1892.

SIR,

I HAVE the honour to acknowledge receipt of your letter of 5th ultimo, and in reply beg to inform you that I am unable to identify the two islanders whose names you have mentioned, and whom you state were wrongly landed at the islet of Uripiv by Mr. Government Agent De-Vaux, ex "Ariel," on the 14th October last.

The following is a list of seven islanders, with the names of the villages at which they were landed on 14th October :—

1. Ruruaroolasso.
2. Seevoinbell, Boorapup.
3. Bellonanaroo.
4. Malhout, Waller, Mallicolo.
5. Moulouwilliewillie.
6. Wasso, Nelamboon.
7. Toorsar.

These were the only islanders who belonged to Mallicolo, and I would be glad if you could inform me whether any of these are identical with those mentioned in your letter.

In conclusion, I might add that Mr. De Vaux left Queensland by the "Ariel" on the 14th November, consequently I have been unable to obtain a report from him on this

matter, although I would mention that neither his log, nor any of his papers, show that an islander was landed at Uripiv.

I have, &c.

F. W. GALLOWAY,
Immigration Agent.

Rev. Mr. GILLAN to DEPARTMENT OF PACIFIC ISLAND IMMIGRATION.

SIR,

Leigh Road, Victoria, December 16, 1892.

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, and to reply that it is evident that the two last on your list are the islanders landed on Uripiv. Those marked 1, 2, 3 are evidently those landed at their home on Uripiv; Boorapup, minus the B, is the way in which the name has been caught and written. The name is Uripiv, or OOrapiv, on old chart Orombo; 4 and 5 are those landed on Wala, spelled on your list Wailer.

Then 6 and 7 are those referred to in my letter to you. I did not know the names they had on the Government Agent's book. The names I gave were those they had four years before on Malekula. They thought they had shipped as such, but you know how many names a New Hebridean may have. As you have my letter of 5th ultimo, I need not repeat my complaint on behalf of these men, knowing that you will investigate the case and deal justly towards the natives.

You will see that is a serious breach of the regulations. The men were landed at Uripiv, about twenty-five (25) sea miles from their homes.

Of course they gave their consent to being landed there, but only because they were led to believe that if they did not land on Uripiv they would be carried yet farther away.

I do not know where Nelanboom is, but it is certainly not on Uripiv, at which place the men were really landed. And you will observe that these two, Nos. 6 and 7 on your list, are entered as having been landed at a different place from 1, 2, and 3, while they were really all landed at exactly the same spot on Uripiv, OOrapiv, or Boorapup.

I have, &c.

JOHN GILLAN.

F. W. Galloway, Esq.,
Immigration Agent,
Queensland.

P.S.—On referring to the statement given to me by these islanders I find I have their names written as Maso and Ambong, or Tusar (*i.e.*, Toosar), so that there is no doubt whatever that these are Wasso and Toosar, Nos. 6 and 7 on your list.

JOHN GILLAN.

Mr. GALLOWAY to Mr. GILLAN.

Department of Pacific Island Immigration, Queensland.

Pacific Island Labour Office, Brisbane,

March 3, 1893.

SIR,

IN reply to your letter of 16th December last, I have the honour to inform you that I have made due inquiry into the matter, and am fully satisfied that the two islanders in question were duly landed at Uripiv, in accordance with their own request, and that no blame can be attached to the Government Agent in the matter.

I have, &c.

F. W. GALLOWAY,
Immigration Agent.

Rev. J. Gillan,
Uripiv, Mallicolo, New Hebrides.

No. 39.

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

[See Enclosure 1 in No. 52.]

SIR,

Downing Street, April 24, 1894.

I HAVE the honour to request you to be so good as to inform me what reply you returned to a Despatch from the High Commissioner of the Western Pacific, dated 17th February 1894,* respecting the case of two returned labourers landed at Uripiv, in Makelula, instead of at their own town.

I have, &c.
RIPON.

No. 40.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received April 30, 1894.)

MY LORD MARQUESS,

Westbrook Hall, Toowoomba,
March 20, 1894.

I HAVE the honour to forward, for your information a copy of a report which I have received through my Chief Secretary, respecting the recent voyage of the labour vessel "May."

2. In the report of the previous voyage made by this vessel, dated the 2nd October last, and a copy of which was enclosed in my despatch of the 27th of that month,† allusion was made to the supposed death, through falling overboard, of an islander named "Whatgood."

I am glad, however, now to note in the last paragraph of this report, and in the appendix, which is attached, that this islander was subsequently found and recruited again at Ambrym.

I have, &c.
H. W. NORMAN.

Enclosure in No. 40.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
March 7, 1894.

SIR,

THE return of the labour ship "May" to Bundaberg on the 23rd ultimo affords me the honour of reporting upon her recent and 13th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 150 islanders, and licenses were granted to enable the master to recruit that number for one plantation in the district of Bundaberg.

J. P. Doig was the master, and Mr. F. Gooding the Government Agent.

The ship left Bundaberg on the 14th October last, having four returning islanders on board, and arrived at Aneiteum on the 30th of same month.

All the returning islanders were landed at their proper villages or passages.

Recruiting commenced at Tongoa 13th November, and was prosecuted throughout the New Hebrides and Banks groups, finishing at Nanebon, Santa Cruz, on the 13th January last, having occupied 62 days, during which period 37 recruits were obtained, 36 males and one female.

Returning islander 1, "Tamousalie," died on the 6th November of consumption.

On the 31st January the ship took her departure from Santa Cruz for Queensland, carrying 37 islanders, who were brought from the following groups, viz. :—

New Hebrides	-	-	23
Santa Cruz	-	-	14

Total	-	-	37	including 13 previously in Queensland.
-------	---	---	----	--

With regard to Regulation 46, no money was forwarded by the "May" this voyage for relatives of labourers who have died under engagement in Queensland.

The Health Officer passed all the islanders with the exception of two, Nos. 6, "Bossa," and 17, "Boonawa," who require medical treatment.

The Government Agent reports :—

"That the decks are leaking badly and require caulking. The boats are greatly knocked about, and in a bad state."

Mr. Gooding further reports that :—

"The boats have not been worked since 13th January (18 days). Having no charts of Santa Cruz, no one on board acquainted with the islands, and bad weather setting in, it was impossible to work the islands to any advantage, especially during the hurricane months. And as it appears the vessel was only provisioned for four months, we had to return home."

Exceptionally bad weather was experienced during the voyage.

I enclose herewith tracing of the course of the ship,* showing places where islanders were landed and recruited in the Hebrides group, but I am unable to give tracings showing places where recruits were obtained in the Santa Cruz group, as charts of same are not obtainable.

In my report of the previous voyage (12th) of the "May," dated 2nd October last, islander 10, "Whatgood," was reported to have fallen, or was lost, overboard ; it now appears that he was not drowned, as he subsequently recruited again at Ambrym on board the "Ariel," see Appendix hereto.

The Principal Under Secretary,
Brisbane.

I have, &c.
J. O'N. BRENNAN,
Immigration Agent.

APPENDIX.

EXTRACT from the GOVERNMENT AGENT'S LOG whilst anchored off Ambrym,
15th December 1893.

WE ascertained from Mr. Francewa, at the cobra station, also from the natives on shore, that the boy "Whatgood," who was supposed to have been lost overboard and drowned last voyage, was discovered up in the branches of a large tree five days after our departure ; he travelled about from one place to another and appeared quite silly, but the natives took little notice of him. However, he recruited again in the "Ariel" about three months ago, and we are again taking his box back to Queensland.

* * * * *

No. 41.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 30, 1894.)

MY LORD MARQUESS,

Government House, Brisbane,
March 21, 1894.

IN reply to your Despatch of the 30th November 1893,† respecting the withdrawal of the prohibition contained in the Regulations, made under the Pacific Island Labourers Acts, respecting recruiting at the Santa Cruz Group and the Island of Tongoa, I have the honour to forward a copy of my Chief Secretary's letters and of its enclosures on the subject.

I have, &c.
H. W. NORMAN.

* Not enclosed.

† No. 25.

Enclosure in No. 41.

Chief Secretary's Office, Brisbane,
March 12, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of Lord Ripon's Despatch, of 30th November 1893, in which, with reference to the withdrawal of so much of the prohibition contained in the Regulations made under the Pacific Island Labourers Acts as relates to recruiting at the Santa Cruz Group and the Island of Tongoa, his Lordship requests to be informed what was the reason for the prohibition now withdrawn, and whether he is correct in assuming, in the event of its having arisen from any fear that continued emigration would cause the withdrawal of too large a proportion of the able-bodied population, this Government has taken steps to ascertain that there is no chance of these islands being unduly depopulated.

In reply I have the honour to inform your Excellency that in April 1888, the attention of the Government was called to the abnormal mortality among the Pacific Island labourers in Queensland who had been brought from the Santa Cruz Islands, which were not then among the list of islands from which recruiting was forbidden, and in the same month a notification was issued prohibiting further recruiting from that group. It has now, however, been satisfactorily established that such excessive mortality was chiefly due to the change of diet undergone on arrival in Queensland, and that, with special arrangements for dieting, in the case of these islanders, the conditions are not more unfavourable to health than in their own islands. The regulations now in force enable Government agents to make such arrangements, and, as it became known to the Government that a strong desire existed among many of the Santa Cruz Natives to come to Queensland, it appeared desirable to re-open the group as a recruiting ground for labour. As an additional precaution, instructions have been issued that no native of Santa Cruz who is of delicate appearance is to be enrolled as a recruit, and that any one falling short of the highest standard in use in connexion with recruiting in other islands is to be rejected.

I append an extract from a letter addressed to the Immigration Department by the agent for the owners of the labour ship "Para," conveying the statement of the captain of the vessel as to the eagerness of the Santa Cruz Islanders to engage for labour in this Colony.

The prohibition with regard to Tongoa was issued in November 1890, upon a petition signed by a number of the chiefs of the island, who represented that their villages were in danger of becoming depopulated owing to the emigration of the young men to Queensland. In actual working, however, the prohibition has not only not been effectual, owing to the fact that numbers of Tongoans find their way to neighbouring islands where recruiting is permitted and where they engage themselves for labour in Queensland under false information as to their place of nativity, but has caused considerable trouble to the department, which has been put to both inconvenience and expense in investigating charges of irregular recruiting in respect of cases of this kind—cases in which there must obviously be great difficulty in determining whether or not the recruiting agents were aware that the men did not belong to the island where they were taken on board. Under these circumstances, and having regard to the fact that most of the Tongoans employed in Queensland return to their native island, thus postponing indefinitely any danger of its depopulation through emigration to this colony, the Government came to the conclusion that no good purpose would be served by continuing the prohibition.

With regard to the inquiry of the Secretary of State as to any steps which may have been taken by the Government to ascertain that there is no chance of these islands being unduly depopulated, I have caused a report upon the subject to be prepared by the Immigration Department, extracts from which I have the honour to enclose. Most of the information contained in the report was, of course, in the possession of the Government before the removal of the prohibition, and I think it will be gathered that their action in the matter is not likely to have any serious effect upon the progress of population in the islands in question.

I have, &c.

HUGH M. NELSON.

His Excellency Sir Henry W. Norman, G.C.B.,
&c., &c., &c.,
Governor.

EXTRACT from the LETTER addressed to IMMIGRATION DEPARTMENT by Agent for the Proprietor of the Labour Ship "Para."

Brisbane, October 7, 1893.

I HAVE the honour to inform you that the captain of the "Para" reports that upon his last visit to "Santa Cruz," when he had to land some boys, the vessel was completely rushed by the Islanders, who were anxious to come to Queensland, many of them having worked on the plantations before. He told them he could not recruit, but you will be surprised to hear that after he made sail he discovered a large number of boys hidden away in all parts of the vessel, necessitating his returning to within a short distance of the island to land them, and even then he had to make them swim ashore before he could clear the vessel.

* * * * *

EXTRACTS from REPORT of the IMMIGRATION DEPARTMENT, dated 15th March 1894, on the Population of the Santa Cruz Group and the Island of Tongoa.

SIR,

IN accordance with your instructions, I have the honour to submit the following for your information relating to the population in the Santa Cruz Group and the Island of Tongoa, and the probable effect that recruiting may have as to depopulation.

My information is gained from officers of the department, and others, who have some knowledge of the places mentioned, and is, I think, reliable.

Of *Santa Cruz*, which consists of two large and numerous small adjacent islands, Mr. Hornbrook, at present Inspector of Pacific Islanders, Mackay, writes upon his own experience, and that of two others, as follows:—

"I should estimate the population at about 8,000.

"In point of population the Santa Cruz Group would be about equal to the Banks, and greatly in excess of the Torres Groups."

We recruit from both the latter without apprehension of depopulating them.

Mr. Hornbrook again says:—

"As there have only been some 200 or 300 of Santa Cruz Islanders brought to Queensland during the last 10 years, I do not think that there has been any great drain upon the population so far, and, in my opinion, there is no more reason to fear that the labour trade will depopulate the Santa Cruz than that of the Banks or any similar groups."

Mr. Caulfeild, Inspector at Bundaberg, supplies extracts from the "May's" (Government Agent's) log.

* * * * *

"10th January 1894.—The Island of Nancbon contains some 2,000 souls, and Tapu some 1,000 to 1,500. The total population of the whole group, including the Duff and Swallow Groups, might safely be placed at 12,000. The group is under the influence of Bishop Selwyn's mission."

The same officer gives from 6,000 to 8,000 as an estimate of Santa Cruz proper.

Mr. Government Agent Lawrence, who has just returned from the group, thinks the people number about 5,000 in Santa Cruz proper, and 2,000 in the Swallow Group; and Mr. Government Agent des Vaux, who was there almost at the same time as Mr. Lawrence, agrees with him.

Mr. Thompson, who was there some six or seven years ago, and landed at different places, says the place was then thickly populated, and that many of the young men were anxious to recruit.

Captain Mackay, of the "Para," which brought six Santa Cruz "boys," tells me that the place is "full of people," but that he would not think of recruiting from Vanikoro, as the natives are too miserable for any one to employ.

All of my informants agree that recruiting at Santa Cruz will be very slow, the people only being inclined as a rule to recruit if pigs were included in the usual trade, and that at present cannot be; see Regulation 16. There also appears to be some caution about recruiting, until those already in the Colony go back; but perhaps it is premature to judge thus until the return of ships which have really worked the group. None of the

three just arrived have done so, owing to the bad weather which prevailed when they were in the vicinity of these islands.

The results being :—

"Empreza"	-	-	46
"May"	-	-	14
"Para"	-	-	6

only worked Swallow Group one day.

The "Empreza's" score looks a heavy one, but, compared with the much worked Malayta, where the "Para" this time recruited 66, the number is really very small.

The only danger, if any, of depopulation—assuming that heavy recruiting takes place—must, I submit, entirely depend upon how the Santa Cruz boys thrive in our Colony, and the cost of obtaining any sort of coloured labour now is such as to insure careful treatment and the best attention to diet, which, more or less, affects every newly arrived Pacific Islander.

From what I saw of the few Santa Cruz people on the "Para," and information gained from the agents on the other two ships, there can be little doubt that these boys, though bright and intelligent, are inclined to be "soft," even in the big-chested individuals, and this is especially noticeable on comparing them with the Malayta men. From their tapering fingers I should judge them as susceptible to lung trouble under trying circumstances.

They are also said to be subject to fits of depression, and Mr. Lawrence tells me that, had the "Para" been able to again approach the shore at Santa Cruz, which the weather prevented, the boys on board, he fears, would have deserted. I saw nothing, however, to denote this upon their arrival; on the contrary, they were in great spirits, and full of fun.

I attach a circular* sent out to all Inspectors, and also one* *proposed* to be issued to Government Agents upon your approval.

Also the tracing of a chart* lent to me by the captain of the "Para," which shows where the three ships mentioned herein worked the group.

Tongoa, a small island which, according to Mr. Hornbrook, can be rowed around in half a day, is said to contain from 800 to 1,000 people.

The female portion of the population is in excess of the male. The women do not leave the island, but the men visit their neighbours a great deal, and thus have been able to come to Queensland, even when Tongoa was debarred as a recruiting ground.

From Mr. Hornbrook's statement you will see that only *one* death amongst the Tongoans has occurred in Mackay during the last *five* years, so that nothing need be feared from the death rate.

The same officer says :—

"Since January 1885, a period of eight years, there have been about 300 Tongoans brought to Queensland, or about an average of 38 per annum. Judging from my experience, most of these go home again. Thus the prospect of emigration to Queensland depopulating the Island seems very remote indeed."

Mr. Government Agent Thompson, who has been to Tongoa many times, says :—

"They are now living in a semi-civilized state, and are consequently accustomed to many of the customs of civilization.

Also—

"I landed many natives of Tongoa during the time the island was debarred, and the people ashore always complained bitterly when I refused to allow them to recruit."

This supports Mr. Hornbrook's statement that most of the Tongoans return home upon the expiration of their agreements here. The improbability of ill effects of emigration from Tongoa is again made manifest in the statement that while for many years past few people have emigrated from Mai, a neighbouring island, yet the population there is decreasing far more rapidly than at Tongoa.

The number of recruits from Tongoa since the removal of the prohibition is 13.

I am promised more information but do not deem it advisable to wait for it any longer. Attached are all papers from which the information contained in this letter is gathered.

I have, &c.

J. O'N. BRENAN,
Immigration Agent.

The Principal Under Secretary,
Brisbane.

No. 42.

REAR-ADMIRAL BOWDEN-SMITH to ADMIRALTY.

(Received Colonial Office May 7, 1894.)

EXTRACT from a LETTER, dated March 13, 1894, relating to the SOLOMON ISLANDS.

* * * * *

IN conclusion, I would express my conviction that the labour traffic as now carried on is the best means of civilising and Christianising the Natives of the Solomon Islands and other islands in the Western Pacific.

I have, &c.

N. BOWDEN-SMITH,
Rear-Admiral,
Commander-in-Chief.

No. 43.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received May 14, 1894.)

Westbrook Hall, Toowoomba,

March 29, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 25th October last,* in which I enclosed for your information certain documents relating to the labour vessel "Para," I have now the honour to transmit a copy of a Report which has been furnished by the Immigration Department respecting the recent voyage of this vessel.

I have, &c.

H. W. NORMAN.

Enclosure in No. 43.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

March 8, 1894.

SIR,

THE return of the labour ship "Para" to Brisbane on the 27th ultimo affords me the honour of reporting upon her recent and thirteenth voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 176 Islanders, and licenses were granted to enable the master to recruit 120 for three plantations in the district of Mackay.

John Mackay was the Master, and Mr. W. H. Lawrence the Government Agent.

The ship left Brisbane on the 12th of October last, having no returning Islanders on board, and, owing to bad weather on the same night, the bulwarks and one boat were carried away, rendering it necessary to proceed to Maryborough for repairs; these being effected, the vessel left for the Islands on the 26th October, and arrived at Tegua on the 12th November.

Recruiting commenced at Tegua on the 14th November, and was prosecuted throughout the Torres Banks, and Solomon Groups, finishing at Port Adam 1st February 1894, during which period 105 recruits were obtained, 100 males and five females.

On the 12th February the ship took her departure from San Catalina for Queensland, carrying 105 Islanders, who were brought from the following groups:—

Banks	-	-	-	-	-	-	18
Torres	-	-	-	-	-	-	15
Solomon	-	-	-	-	-	-	72
Total							105

including 32 previously in Queensland.

1 " Fiji.

* Not printed.

With regard to Regulation 46, no money was forwarded this voyage for distribution to relatives of Islanders who have died under engagement in Queensland.

The Health Officer passed all the Islanders, reserving No. 38, "Blong Allu," and 55, "Lowcanney," for treatment for trivial body sores. "Blong Allu," who is a native of Santa Cruz, was transhipped to the "Arawatta" on 3rd instant for Mackay with the other Santa Cruz recruits, for fear he might pine in consequence of being separated from his countrymen; he will be, however, treated at Mackay Hospital until fit for plantation work. No. 55, "Lowcanney," a Malayta Islander, remains on board the "Para" under treatment, and will be despatched to Mackay when fit for work.

The Government Agent reports that the boats were fired upon on 1st January, *see* Appendix A., but no harm appears to have been done, and on the 7th January, Mr. Lawrence reports that warning was given that the bushmen were in arms waiting to attack the white men, *see* Appendix B.

I enclose herewith tracings* of the course of the ship showing places where Islanders were recruited.

I am, &c.

J. O'N. BRENNAN,
Immigration Agent.

The Principal Under Secretary,
Brisbane.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG whilst anchored at Io Malayta,
1st January 1894.

AT 9.30 boats left; on nearing the shore the boats were fired on by Natives from a village to the southward of the anchorage; we returned the fire. On pulling into the landing to inquire the reason, they had none to give. At noon the boats returned.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG whilst anchored at Quoi, Malayta,
7th January 1894.

AT 4 p.m. canoes came on board and cautioned us against the bush Natives, saying they have threatened to fire on the boats the first chance, and they are banding together in large numbers, being well supplied with rifles and ammunition, got, the Natives told me, from Samoan ships. Their object in killing a white man is: Two bush Chiefs whose sons came to Queensland are said to have died there, and this is to be their revenge. It seems they nearly accomplished their object the last recruiting trip of the "Sybil," when they tried to kill the recruiter; had they done so they would have been satisfied. If one of Her Majesty's ships were to call and caution them, it would have the effect of making them quiet.

No. 44.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received May 14, 1894).

Government House, Brisbane, Queensland,
April 5, 1894.

MY LORD MARQUESS,

In continuance of my Queensland Despatch of the 25th October last year,* in which I forwarded for your information copies of certain documents respecting the labour vessel "Empreza," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 44.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

March 9, 1894.

SIR,

THE return of the labour ship "Empreza" to Townsville on the 25th ultimo affords me the honour of reporting upon her recent and third voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 159 Islanders, and licences were granted to enable the master to recruit that number for one plantation in the district of Townsville (Lower Burdekin). F. F. Malcolm was the master, and Mr. W. de Vaux the Government Agent.

The ship left Townsville on the 11th of October last, having 55 returning Islanders on board, and arrived at Graciosa Bay, Santa Cruz, on the 12th November. All the returning Islanders were landed at their proper villages or passages with the exception of No. 55, who was landed elsewhere at his own request (in Appendix A.); Nos. 12, 16, 40, 41, 47, and 48, who absconded at Santa Anna (*see* Appendix B.); Nos. 27, 28, 29, 30, 31, 32, and 33, who could not be landed owing to heavy sea, and were subsequently recruited; and No. 26, who could not be landed but wished to return to the Colony and go back next voyage; he recruited however. (*See* Appendix C.)

Recruiting commenced at Santa Cruz on the 13th November, and was prosecuted throughout the Santa Cruz and Solomon groups, finishing at Guadalcanar on the 30th January, having occupied 79 days, during which period 99 recruits were obtained, 96 males and three females.

Returning Islander No. 13, "Tina" F., died of consumption on the 25th of October. In the summary of events of note in the log book, the Government Agent remarks, "Very bad when she came on board." On the 30th January the ship took her departure from Guadalcanar for Queensland, carrying 99 Islanders, who were brought from the following groups:—

Santa Cruz -	-	-	-	-	-	46
Solomon	-	-	-	-	-	53
Total						99

Including 26 previously in Queensland

1 " " Fiji.

With regard to Regulation 46, no money was forwarded by the "Empreza" this voyage for distribution to relatives of labourers who have died in Queensland. The health officer passed all the Islanders.

Three Islanders who had been recruited at Santa Cruz on the 12th November deserted on the 28th November. (*See* Appendix D.)

The Government Agent reports, "The hull and rigging are in good order and condition, but the main hatches require fitting to the combings, and two ventilators into the hold, one forward and one aft."

I enclose herewith tracings* of the course of the ship, showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of case where one Islander was landed elsewhere than at his proper Village during the last Voyage of the Labour Ship "Empreza."

Name.	Proper Village.	Island.	Extract.
55. "Bally"	Howla	Guadalcanar	1894.—25th January anchored at Oolavuka, Florida group. Boats employed bringing off wood and water till 5 p.m.; then landed No. 55, "Bally," at his own request. He stated that his friends had come to here.

* Not received.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S REPORT *re* returning Islanders who absconded.

December 2, 1893.—Anchored at Santa Anna to engage interpreter for working West Coast of San Christoval. After finishing there retraced to Santa Anna, where six Malayta returns and one boat's crew left the ship at night without leave and refused to return. The reason for doing so was that the return Malayta woman was near her confinement, and if they were on board at the time they would die.

APPENDIX B. 1.

EXTRACT from the GOVERNMENT AGENT'S LOG *re* returning Islanders who absconded, anchored at Santa Anna.

December 15th, 1893.—5 a.m.—Anchored at same place. The master informed me that some of the returns had gone ashore during the night with their effects. On making inquiries, I found that the following boys were missing, viz., No. 13, "Refasier"; 16, "Ol-ta-loa"; 40, "Maryta"; 41, "Ongwallu"; 47, "Alloopryer"; 48, "Barbang." A number of the returns had asked to be landed here on account of a lot of their countrymen living here, but I tried to induce them to remain and go to their own passages. 6 a.m.—Got under weigh, and attempted to get out, but the wind came right in, and we anchored again.

The Malayta boat's crew "Wearheener" also deserted with the returns.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT'S LOG, off South Side of Guadalcanar.

30th January 1894.—9 a.m.—Away boats to land the Guadalcanar returns Nos. 26, Tookie; 27, Kimbonar; 28, Amboo; 29, Soogo; 30, Panna; 31, Chetcholie; 32, Ary Ary; and 33, Paroe; and returned at 6 p.m., unable to land them owing to heavy sea. We pulled along about 15 miles, trying to find a smooth place, but could not find one, neither would the canoes come out to the boats to take the boys and their boxes, which is the custom along this coast.

After being on board awhile, all the above returns, except No. 26, "Tookie," came to me and said they wished to sign on again, so I put them on the inward list as No. 95, Kimbonar; 96, Amboo; 97, Soogoo; 98, Panna; 99, Chetcholie; 100, Ary Ary; and 101, Paroe.

APPENDIX D.

EXTRACT from the GOVERNMENT AGENT'S LOG, anchored off Carlisle Bay.

28th November 1893.—Missed No. 11, "Untry"; 13, "Tynagie"; and 15, "Manoser," who must have swam ashore, the ship being very close in.

No. 45.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received May 21, 1894.)

MY LORD MARQUESS,

Government House, Brisbane,
April 10, 1894.

I HAVE the honour to forward, for the information of your Lordship, a copy of correspondence relative to complaints received by me from the Naval Commander-in-Chief, with reference to the Labour Vessel "Lochiel" on her 18th voyage, the return of the vessel from which was reported in my Despatch of the 17th August 1893.*

2. The three first enclosures relate to a complaint preferred by G. Dennis, of Vao Island, New Hebrides, to the effect that the "Lochiel" had recruited five labourers who had deserted from the service of Dennis, and that the whale boat belonging to him, which was stolen by these labourers had been taken possession of by the "Lochiel." The result of the inquiry into these matters by the Queensland Government is shown in the letters from the Chief Secretary, dated 14th March and 3rd April, and the Rear Admiral has been made acquainted with these letters, and has been sent the sum of 15*l*. on account of the value of the boat taken by the "Lochiel," which has been recovered from the captain of the vessel.

3. The remaining enclosures relate to the complaint of one, Louis Fraser, of Ambrym Island, against the "Lochiel" for landing some return Islanders at villages other than their own. It does not seem that this charge is clearly proved, but the Chief Secretary considered that the action of the Government Agent in this and other cases has been so unsatisfactory that his services have been dispensed with, and exceptional care is now being taken to select agents who will see that the regulations are strictly complied with.*

I have, &c.

H. W. NORMAN.

* N.B.
Copy
Nelson
letter
Febru
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Enclosure 1 in No. 45.

SIR,

"Orlando" at Melbourne,

November 16, 1893.

I HAVE the honour to forward, for the information of your Excellency, the document noted at the foot hereof, and I would suggest that inquiry might be made into this matter on return of the "Lochiel" to Queensland.

I have, &c.

N. BOWDEN-SMITH,

Rear Admiral, Commander-in-Chief.

His Excellency

General Sir H. W. Norman, G.C.B.,

&c., &c., &c.

Governor and Commander-in-Chief, Queensland.

LETTER from H.M.S. "Boomerang," dated 3rd November 1893, forwarding a complaint against the Labour Schooner, "Lochiel," by G. Dennis, of Vao Island, New Hebrides.

It is requested that these documents may be returned at convenience.

COMPLAINT against the Labour Schooner "LOCHIEL" by G. DENNIS, of Vao Island, New Hebrides Islands.

H.M.S. "Boomerang," Noumea,

November 3, 1893.

SIR,

THE attached letter was forwarded to me at Noumea in October last.

2. From inquiry in the Islands since, it appears that the "Lochiel" is now on a recruiting cruise, and passed northward, to the Solomon Islands, having been seen at Pentecost Island (New Hebrides), by the French War-ship "Scorff" about three weeks ago.

3. Submitted, that on the return of the "Lochiel" to Queensland an inquiry may be made into the matter.

4. When at Port Sandwich, Mallicolo Island, on the 24th October, I met the Frenchman, Dennis, and he then corroborated his statement in his letter (attached) to me, personally.

5. I also heard that the "Lochiel" had recruited 40 Natives at Pentecost (Steep-Cliff Bay), and, with reference to my letters Nos. 40 and 44 of 1893, I would suggest that inquiries be made as to whether any of them are Natives of the village of Engum, and especially whether the Native named "Tackets" is amongst them.

I have, &c.

The Commander-in-Chief,
Australia.

THOMAS C. FENTON,
Lieutenant and Commander,
(Senior Officer, New Hebrides Division).

MONSIEUR LE COMMANDANT,

Vao, le 20 septembre 1893.

J'AI l'honneur de vous rendre compte que, dans les premiers jours de mars de cette année, 5 de mes engagés, les nommes Tom, Ned, Djémi, Dick de Sandwich et Françoise de Torès, s'évadaient en m'enlevant un baleinier, des fusils, cartouches, poudre, &c. sans que je pusse retrouver leur trais. Lorsque dans le courant de juin, j'appris par des personnes dignes de foi, que mes 5 indigènes se trouvaient à bord de "L'Auchiel" de Queensland qui les avait recruté à la baie Sud-Ouest de Mallicolo. Ma baleinier était également à bord. Or j'écris à M. le Capitaine de le navire pour lui demander la restitution de ma baleinier lettre qui du reste est demeurri sans réponse.

J'ai, en conséquence, l'honneur de porter à votre connaissance le fait ci-dessus, en vous priant de vouloir bien user de votre haute autorité pour me faire entrer en possession de mon embarcation.

Veuillez agréer,
Monsieur le Commandant,
mes respectueuses salutations.

L. Denis.

A Monsieur le Commandant du Navire de
Guerre Anglais aux Nlles. Hebrides.

G. DENIS a Vao,
Nlles. Hebrides.

Enclosure 2 in No. 45.

Chief Secretary's Office, Brisbane,
March 14, 1894.

SIR,

IN my letter of the 28th November 1893, I had the honour to inform your Excellency that I had given instructions to have strict inquiry made into the matter of the complaint against the Labour Schooner "Lochiel" by G. Dennis, of Vao Island, New Hebrides, which was reported in a letter from Lieutenant and Commander Fenton, of H.M.S. "Boomerang," and brought under your Excellency's notice in a letter from the Naval Commander-in-Chief, dated 16th November.

The matters complained of, which were that the "Lochiel" had improperly recruited five Islanders who deserted from the service of Mr. Dennis, and that a whale boat belonging to him, which was stolen by these Islanders, had been taken possession of by the "Lochiel," has now been thoroughly investigated, and the evidence submitted to me, with the report thereupon by the Immigration Department. From a perusal of the papers it does not appear by any means certain that the parties concerned in recruiting these Islanders were aware of any circumstances which should have prevented their enrolment, and the fact that, in connexion with another matter, the Government Agent of the "Lochiel" has since been dismissed from the Public Service, and the recruiter debarred from further employment in the Labour Trade, renders it the less necessary to press the uncertainty to any issue in their disfavour.

With regard to the matter of the whale boat, however, there is no doubt as to the reprehensible conduct of the captain of the "Lochiel," who, without proper inquiry, obtained the boat for a small sum from certain Natives of Mallicolo, where it had been blown ashore, and subsequently disposed of it for 15/. I have accordingly directed that Captain Pearn be severely reprimanded, and that he be made to hand over to the Department the price he obtained for the boat, upon payment of which I shall forward the amount to your Excellency, for transmission to Mr. Dennis through the Naval Commander-in-Chief.

With respect to the last paragraph of Commander Fenton's letter, I have the honour to inform your Excellency that on the voyage to which the correspondence refers, the "Lochiel" had no Pentecost Islanders on board. During the subsequent trip, the vessel obtained 18 Islanders at Pentecost, but none of them gave any name resembling "Tackets," nor does the village of Emgum appear on the passenger list.

His Excellency Sir Henry W. Norman, G.C.B.
&c., &c., &c.,
Governor.

I have, &c.
HUGH M. NELSON.

Enclosure 3 in No. 45.

Chief Secretary's Office, Brisbane,
April 3, 1894.

SIR,

In my letter of the 14th ultimo with reference to the inquiry made into the matter of the complaint against the schooner "Lochiel," by Mr. G. Dennis, of Vao Island New Hebrides, which was reported in a letter from Lieutenant and Commander Fenton of H.M.S. "Boomerang," and brought under your Excellency's notice in a letter from the Naval Commander-in-Chief, dated 16th November last, I had the honour to inform your Excellency that, among other results of the inquiry, it had been decided that Captain Pearn of the "Lochiel" should be made to hand over to the department the price he obtained for the boat belonging to Mr. Dennis, the loss of which formed a portion of the complaint.

The sum of 15*l.* has accordingly been collected from Captain Pearn, which I may state is greatly in excess of the value of the boat in the condition in which it came into his possession, and I have now the honour to enclose a draft on the Queensland National Bank, Sydney, for the amount and to request that you will be good enough to cause it to be forwarded to the Naval Commander-in-Chief for transmission to Mr. Dennis.

As the complaint was made to and represented by the Naval Authorities, I presume that this is the proper course to adopt in transmitting the money.

His Excellency Sir Henry W. Norman, G.C.B.
&c., &c., &c.,
Governor.

I have, &c.
HUGH M. NELSON.

Enclosure 4 in No. 45.

Chief Secretary's Office, Brisbane,
February 1, 1894.

SIR,

In further reference to the letter from the Naval Commander-in-Chief, dated the 20th November last, respecting the complaint of one, Louis Fraser, of Ambrym Island against the Queensland Labour Vessel, "Lochiel," for landing return Islanders at villages other than their own, I have now the honour to enclose a copy in duplicate of the report of the Department of Immigration upon the subject, with duplicate copies of a letter from the Government Agent, and of a statement by the recruiter of the "Lochiel."

Although it is reasonable to conclude from the results of the inquiry into the matter that the Islanders in question were landed precisely where they desired, yet the action of the Government Agent in this and other cases has been so unsatisfactory that the Government have dispensed with his services, and exceptional care is now being exercised to select agents who will see that the regulations are strictly complied with.

His Excellency Sir Henry W. Norman, G.C.B.,
&c., &c., &c.,
Governor.

I have, &c.
HUGH M. NELSON.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
January 17, 1894.

SIR,

I HAVE the honour to return, herewith, papers connected with a complaint by one, L. Fraser, against the "Lochiel" for landing returns at the wrong port.

The alleged irregularity is said to have taken place during the 18th voyage of the "Lochiel," the trip previous to the last one.

The Government Agent states that all the returns were landed strictly in accordance with No. 11, Instructions to Government Agents. The "boys," he says, were also questioned on board the vessel before being landed as to whether they recognised their passages.

The Recruiter also declares that the Ambrym "boys" were landed at their proper passages.

He remembers, at Champion Bay, taking four Islanders in the boat to land them, and while pulling along the shore, some Natives on the beach hailed them. One of the returns identified his brother amongst them, and, upon the boat going in, all four went ashore.

If Burns's (the Recruiter) statement is correct there should be some fuller mention of the landing in the Government Agent's Log. All that he says is: "weighed anchor at 9.30 a.m., and crossed over to Ambrym, where we landed the following returns:—

"At Endoo, No. 26, Tahoon; 42, Maall; 43, Manu; 44, Myla.

"At Lalindah, 23, Mesaesae; 24, Pakoon; 25, Massing; 27, Sugar Cane, at Lalongarcy; 77, Boar."

No such places as Besa and Nugora appear anywhere in the ship's papers, and, in the absence of dates and mes, the gathering of information is unsatisfactory.

The Government Agent in this case is under suspension, and I understand will not return to duty in this department.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

INQUIRY re alleged LANDING of four (4) AMBRYM RETURNS by the "LOCHIEL" at passages other than their own.

Bundaberg, January 10, 1894.

Thos. Burns states: In March 1893 the Lochiel left Bundaberg with a large number of returns on board, including some fourteen (14) for Ambrym; I at the time was the Recruiter on board. To the best of knowledge all the return Ambrym Islanders we landed at their respective passages. I remember while the ship was at anchor in Champion's Bay, Ambrym, taking four (4) return Islanders to land them; whilst pulling along the coast, the Natives on shore hailed the Boys that I had in the boat, and one of the Boys in the boat said that it was his brother, and wished to be landed there: I drew in to the beach, and all the returns went ashore of their own free will, saying that they were amongst their friends. I saw nothing in the conduct of those who received them to arouse my suspicions.

T. BURNS.

Witness,

H. ST. GEO. CAULFIELD.

Immigration Office, Brisbane,
December 14, 1893.

SIR,

WITH reference to a complaint made by one, Louis Fraser, a trader of Ambrym, against the "Lochiel" Labour Schooner when on her 18th trip, stating that some return Islanders, belonging to Ambrym, were not landed at their proper passages, I have the honour to inform you that all the "returns" were landed strictly in accordance to Para. 11, "Instructions to Government Agents," and the outward passenger list.

The "boys" were also questioned on board the vessel before being landed as to whether they recognised their passages.

To the Officer in Charge,
Pacific Island Labour Office,
Brisbane.

I have, &c.

J. E. B. HAMMOND,
Government Agent,
late of "Lochiel."

Enclosure 5 in No. 45.

SIR,

"Orlando" at Sydney,
November 20, 1893.

I HAVE the honour to forward, for the information of your Excellency, the document noted at the foot hereof, observing that this is probably the case referred to in the "Sydney Morning Herald" of the "Lochiel's" landing returned labourers at wrong ports.

His Excellency
General Sir H. Norman, G.C.B.,
&c., &c., &c.,
Governor and Commander-in-Chief, Queensland.

I have, &c.
N. BOWDEN-SMITH,
Rear Admiral, Commander-in-Chief.

"Boomerang," September 21, 1893.

Complaint by Louis Fraser, copra maker, of Port Vato, Ambrym Island, against Natives of Nugora.

INVESTIGATION of COMPLAINT against NATIVES by LOUIS FRASER, copra maker, of Port Vato, Ambrym Island, reported by "Dart" 19th July 1893.

H.M.S. "Boomerang"
at Dip Point, Ambrym Island,
September 21, 1893.

SIR,

IN accordance with instructions received from Captain Lang of H.M.S. "Tauranga," on my arrival at Ambrym Island, on the 21st instant, I proceeded on shore at Dip Point and interviewed Louis Fraser concerning his complaint, with the following results:—

1. There were four Natives of Bésa, Ambrym Island, returning by the Labour Vessel "Lochiel," from Queensland.
2. On the arrival at Ungora, Ambrym Island, two of these Natives wanted to land there, and the other two wanted to land at Dip Point, Ambrym Island. These latter were, however, persuaded by the former two to land also with them at Ungora, which was permitted, and all the four were landed there accordingly.
3. When they landed, the Natives of Ungora broke their boxes open and stole the contents of them, but no one was killed, as originally reported.
4. All the four eventually returned to Bésa unharmed, but without their boxes and contents.
5. The above statement was made before me, by a Native of Ambrym Island, named George, who was one of the labourers on board the "Lochiel" at the time of the occurrence.
6. Louis Fraser, a trader, of Port Vato, near Ungora, Ambrym Island, corroborates this statement; he also says that the "Lochiel" passed Bésa, the place where these Natives should have been landed, that at the time these Natives recruited the Bésa Natives and the Ungora Natives were friendly but have since become hostile towards each other, which accounts for the treatment the returned labourers received at Ungora; that these four Natives were not aware of any unfriendliness existing between the two tribes, or they would not have wished to land at Ungora.
7. Provision for the landing of Natives at villages other than their own is made by Para. 11 of the "Instructions to Government Agents," which directs that in all such cases a full explanation of the circumstances must be entered in the log by the Government Agent.
8. As undoubtedly this trouble arose through the landing of these Islanders at Ungora instead of at Bésa, I would submit that steps be taken to ascertain whether the regulations were in this case strictly adhered to.

I have, &c.

Commander-in-Chief,
Australia.

THOMAS C. FENTON,
Lieutenant Commander,
And Senior Officer, New Hebrides.

No. 46.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received May 21, 1894.)

My LORD MARQUESS, Government House, Brisbane,
April 12, 1894.

I have the honour to transmit, for your information, copy of a report furnished by the Immigration Department respecting the recent and first voyage of the labour vessel "William Manson."

2. In reply to my inquiry as to whether phthisis is very prevalent in the Mackay district, as might be supposed from the heavy mortality amongst the Islanders returning from this district, as shown in Appendix B. of this report, the Chief Secretary states that he has instructed the officer in charge of the Pacific Island Labour Department to call upon the Medical Officer at Mackay for a report upon the subject.

A copy of this report shall be forwarded to your Lordship when received.

I have, &c.

H. W. NORMAN.

Enclosure in No. 46.

Department of Immigration,
Pacific Island Labour Branch,
Brisbane, March 28, 1894.

SIR,

THE return of the labour ship "William Manson" to Brisbane on the 8th instant affords me the honour of reporting upon her recent and first voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 196 Islanders, and licenses were granted to enable the master to recruit 160 for 13 employers in the districts of Bundaberg and Mackay.

Joseph Vos was the master, and Mr. A. C. Cecil the Government Agent.

The ship left Mackay on the 15th September last, having 143 returning Islanders on board, and arrived at Aneiteum on the 5th of October.

All the returning Islanders were landed at their proper villages or passages with the exception of two, who were landed elsewhere at their own request. (*See Appendix A.*)

Recruiting commenced at Tanna on the 10th October, and was prosecuted throughout the New Hebrides and Solomon Groups, finishing at Guadalcanar on the 22nd February, having occupied 136 days, during which period 94 recruits were obtained, 84 males and 10 females.

Thirteen returning Islanders died during the passage. (*See Appendix B.*) With regard to this matter the Government Agent reports that by far the greater number of these cases were in the last stages of existence when they came on board.

Three recruits died from the under-mentioned causes:—

26 November 1893, No. 12, "*Ernest*," inflammation of the lungs.

4 December 1893, No. 17, "*Cayloo*," relapse after recovery from a severe attack of fever and ague.

3 February 1894, No. 33, "*Marrey II.*," of general debility and dysentery.

Three recruits deserted on February 8th, 1894, when at anchor off M'boli, Florida, viz.:—

No. 85, "*Toorehair*," of Florida.

No. 86, "*Tanygundy*," "

No. 88, "*Rara Kar*."

On the 22nd February the ship took her departure from Guadalcanar for Queensland, carrying 88 Islanders, who were brought from the following groups:—

New Hebrides	-	-	-	78
Solomon	-	-	-	10

Total - - - 88 including

19 previously in Queensland,
 3 ,, Noumea,
 2 ,, Samoa,
 1 ,, Sandwich.

With regard to Regulation 46, the sum of 5*l*. was distributed to relatives of labourers who have died under engagements in Queensland.

The Health Officer passed all the Islanders with the exception of Nos. 29 and 64, who were rejected. Nos. 11 and 59 have been sent to hospital for treatment of sore legs and dysentery respectively.

I enclose herewith tracings * of the course of the ship showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
 Brisbane.

J. O'N. BRENNAN,
 Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of cases in which Islanders were landed elsewhere than at their proper Villages during the last voyage of the Labour Ship "William Manson."

Name.	Proper Village.	Island.	Extract.
22. "Saley" -	Yarrow -	Guadalcanar -	7th February 1894.—At anchor off Florida. These boys landed on Florida at their own request. This request was caused by the fact that their friends from Yarrow are now visiting on Florida, and, hearing that these returns were on board, wished them to return with them in their canoe, which goes back to-morrow. Before granting them permission to go ashore, I fully explained to them that the ship might leave at any moment, as the wind might come fair, and then they could be landed by the boats, but they wished to be landed, which request was duly carried out. Guadalcanar is about 11 miles from Florida. The place they were landed at is called Rahoo, and is on the north-west side.
23. "Vea" -	" -	" -	

APPENDIX B.

The under-mentioned returning Islanders died during the passage from the causes named :—

Date.	No.	Name.	Cause of Death.
	Mackay.		
15th September 1893	73	Quingah -	Phthisis.
23rd " "	70	Ekovory -	"
27th " "	52	Soongooner -	Inflammation of the lungs.
11th October "	69	Ahea -	Phthisis.
13th " "	71	Bullopdorro -	"
21st " "	36	Askwhy -	"
30th " "	19	Looley -	"
29th November "	39	Bumbera -	Fistula and phthisis.
30th " "	27	Lafoley -	Phthisis.
	Ingham.		
7th December "	25	Ohwatta -	"
14th " "	22	Molang'garlo -	"
	Mackay.		
22nd " "	54	Wollia -	General debility.
4th January 1894 -	58	Hocnora -	Phthisis.

* Not received.

No. 47.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received May 29, 1894.)

Government House, Brisbane,

April 18, 1894.

MY LORD MARQUESS,

WITH reference to my Despatch of the 18th November 1892,* in which I forwarded for your information copy of a report on the 17th voyage of the labour vessel "Ariel," I have now the honour to transmit a copy of a letter which I received from the High Commissioner for the Western Pacific respecting the landing of two returned labourers at a place considerably distant from their homes, and of my Chief Secretary's letter in explanation.

2. With reference to Sir John Thurston's suggestion that "in order to avoid misunderstanding, instructions should be given that returned labourers should be landed at their homes, and not at any place where they may request to be landed," your Lordship will observe that the Chief Secretary considers that, in consequence of intertribal disputes, it would be unsafe in many cases to carry out this suggestion, and that, upon the whole, it is better to leave the matter in the hands of the Government Agents, who, under Regulation 43, page 65, of the pamphlet enclosed in my Despatch of 9th June 1892,† containing the Imperial and Colonial Acts, and the Regulations made thereunder, respecting the recruitment of Pacific Island labourers, are empowered to use some discretion in dealing with these cases.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 47.

High Commissioner's Office,
Western Pacific, Suva, Fiji,
February 17, 1894.

SIR,

I HAVE the honour to forward herewith copies of a correspondence‡ between the Rev. J. Gillan, a Presbyterian Missionary stationed at Malekula, in the New Hebrides, and the Queensland Department of Pacific Island Immigration, communicated to me by Mr. Gillan, with respect to the landing at Uripiv, on the island of Malekula, of two returned labourers belonging to a town some 25 miles distant.

It is possible that the returned labourers in question were induced to land at Uripiv by their friends belonging to that place, and I notice that Mr. Galloway states that he is "fully satisfied that the two islanders in question were duly landed at Uripiv in accordance with their own request, and that no blame can be attached to the Government Agent in the matter."

I do not propose to ask your Excellency to have this inquiry re-opened, though from the correspondence in question it appears that the Government Agent in his log entered these Natives as having been landed at some place other than that at which they were landed; but I would suggest that, in order to avoid misunderstanding, instructions should be given that return labourers should be landed at their homes, and not at any place where they may request to be landed.

I have, &c.

JOHN B. THURSTON.

His Excellency

General Sir Henry Norman, G.C.B.,

&c., &c., &c.,

Governor of Queensland.

Enclosure 2 in No. 47.

Chief Secretary's Office, Brisbane,
April 10, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of Sir John B. Thurston's Despatch of 17th February 1894 (which is returned herewith), enclosing copy of correspondence between the Rev. J. Gillan and the Queensland Immigration Department with regard to the landing, by the labour vessel "Ariel," at Uripiv, on the island of Malekula, of two returned labourers belonging to a place some 25 miles distant.

* No 35 in [C.—7000] April 1893.

† Not printed, but see p. 18 of [C.—6808] June 1892.

‡ See Enclosures in No. 38.

With regard to the suggestion contained in the Despatch that "in order to avoid "misunderstanding, instructions should be given that returned labourers should be "landed at their homes and not at any place where they may request to be landed," I have the honour to point out that, owing to the changes which frequently take place through inter-tribal fighting, it would in many cases be dangerous to return Islanders to land them at the place where they were recruited. After three years time, Islanders so landed might find themselves in the hands of a hostile tribe, and I think, upon the whole, that it is better to leave the matter with the Government Agents, who always try to dissuade Islanders from landing at other than their own passages, unless they are aware that these have become unsafe for the "returns" during their absence.

I enclose copies of letters from the Government Agent of the "Ariel" dated respectively the 27th of February and 8th ultimo in further reply to the statements of Mr. Gillan.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c., &c.,
Governor.

I have, &c.
HUGH M. NELSON.

"ARIEL" VOYAGE, No. 18.

SIR,

Brisbane,
February 27, 1893.

HAVING read the letter from the Rev. J. Gillan, Missionary on Orapiv, about me landing two returns, viz., No. 7, B. G. Wasso, and No. 9, B. G. Toosar at his station, I beg to state that, having looked at the outward list of "Ariel" Voyage No. 17, I find the boys above mentioned were to be landed at a place called Nelamboon on Mallicolo. When the ship was off the island of Orapiv,* Mallicolo, the two boys No. 7 and No. 9 told me that that was their passage, and were landed accordingly. The Rev. J. Gillan was on the beach at the time, and said nothing about the boys being landed at the wrong place. The boats were some time at the place, and I was talking to Mr. Gillan, so if the boys had been landing at the wrong place there would have been plenty of time for him to have known it then.

* This island is only separated from Mallicolo by a narrow channel about half mile wide.

The Immigration Agent,
Brisbane.

I have, &c.
WALTER DE VAUX,
Government Agent.

"ARIEL" VOYAGE, No. 17.

SIR,

Brisbane,
March 8, 1893.

In reference to the landing certificate and my log book differing as to the name of the passage where No. 7 and No. 9 B. G. two boys said by the Rev. Gillan to have been landed wrongly, I beg to state that the place is always called Port Stanley, and Orapiv forms part of it. The reason Nelamboon is on the landing certificate is that in filling them up I always refer to the outward list to see how the names of passages are spelt when I don't know them, as was the case in this instance.

The Immigration Agent,
Brisbane.

I have, &c.
WALTER DE VAUX,
Government Agent.

No. 48.

SIR W. H. NORMAN to the MARQUESS OF RIPON.
(Received June 5, 1894.)

Government House, Brisbane,
April 25, 1894.

MY LORD MARQUESS,

In continuation of my Despatch of the 10th instant,* paragraph 2, in which I forwarded, for your information, certain documents respecting a complaint preferred by Mr. G. Dennis against the captain of the labour vessel "Lochiel," and reporting the result of the inquiry, I have now the honour to transmit a copy of a

* No. 45.

letter, dated the 21st instant, which I have received from the Naval Commander-in-Chief.

Your Lordship will observe that the Admiral concurs with me that the case may now be considered to be disposed of.

I have, &c.
H. W. NORMAN.

Enclosure in No. 48.

Sir, "Orlando" at Sydney,
April 21, 1894.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of 21st ultimo, respecting the complaint against the labour schooner "Lochiel"; and to thank you for the inquiries which have been instituted.

2. I agree that the case may now be considered as finished.

3. The money, 15/., will be transmitted to Mr. Dennis, as intimated in my acknowledgement of your letter of 9th April.

I have, &c.

N. BOWDEN-SMITH,
Rear-Admiral, Commander-in-Chief.
His Excellency
General Sir H. W. Norman, G.C.B., G.C.M.G., C.I.E.,
Governor and Commander-in-Chief,
Queensland.

No. 49.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 5, 1894.)

MY LORD MARQUESS,
Government House, Brisbane,
April 26, 1894.

IN continuation of my Despatch of the 10th January 1894,* relating to the late voyage of the labour vessel "Ariel" and stating that the Government Agent had been asked to furnish a further report respecting the case of the recruits 48, "Ossie" and 49 "Waroba," I have the honour to inform you that it now seems that the explanation in question was attached to the enclosures in my Despatch of the above-mentioned date.

In case of accident, however, I forward herewith another copy of the Agent's letter.

I have, &c.
H. W. NORMAN.

No. 50.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 25, 1894.)

[Answered by No. 53.]

MY LORD MARQUESS,
Government House, Brisbane,
May 13, 1894.

IN continuation of my Despatch of the 12th ultimo† I have the honour to forward copy of a letter from the Chief Secretary of Queensland, dated the 10th instant, with enclosure, copy of a report, dated 10th April 1894, from the Health Officer at Mackay, explaining the cause of the high mortality of the return labourers shipped on the vessel "William Manson."

I have, &c.
H. W. NORMAN.

* No. 34.

† No. 46.

Enclosure in No. 50.

Chief Secretary's Office, Brisbane,
May 10, 1894.

SIR,

IN further reference to your Excellency's letter of the 6th ultimo, I have now the honour to enclose a copy of a letter which has been received from the Health Officer at Mackay, reporting on the subject of the mortality among the return labourers who had been examined by him before they left the Colony on board the "William Manson."

As regards the questions asked by Dr. McBurney in the concluding portions of the report, I have ascertained from the Immigration Department that the instructions of the Medical Officer with respect to nourishment diet were carried out. I may take this opportunity of stating that the unusual mortality among the "Returns" had been taken notice of by this department previous to your Excellency's inquiry upon the subject, and the Health Officer at Mackay had been instructed to send in a report; mention of this fact was inadvertently omitted from my letter of the 4th ultimo.

I have, &c.

HORACE TOZER.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

SIR,

Mackay, April 10, 1894.

IN reference to the late trip of the "William Manson," and the unusual mortality of returns, of which you have acquainted me with, you have requested me to give an explanation, so that it may be forwarded to your superior officer in Brisbane; I do so with pleasure.

On the 13th September 1893 I visited the ship in company with you and inspected the vessel then lying at Flat Top; I found everything in good order.

The five boys mentioned in my report of 13th September were suffering from phthisis, and if they had remained any longer in Queensland they were almost certain to die, but the voyage might give them a chance for their lives, and in any case they were happier and more contented with the prospect of getting home amongst their friends than they would have been if left here; it seems that one of the five has lived.

The one who died in three days probably ruptured a blood vessel and died suddenly, as most consumptive patients are likely to do.

The other three have done much as I expected. They were suffering from phthisis, and could not have lived much longer on shore. There was a probability of the sea voyage being beneficial, as medicines were no longer of any use.

Regarding the nine others who have died, and whom I found were in good health upon my examination of them here, I see one died of inflammation of the lungs 16 days after my examination. To anyone who knows anything about medical matters, it would be quite clear that he contracted the disease subsequent to my examination, and as there is no one on board these labour vessels competent to deal with a case at all serious, I have not the least doubt that the boy contracted a severe cold, which was either neglected or unskilfully treated, and as a natural consequence he died.

Eight others are said (upon whose authority I am not informed) to have died in periods of from 7 to 16 weeks of phthisis, but I am of opinion that their cases are similar to that of the boy who is said to have died of inflammation of the lungs, pneumonia, pleurisy or some of the many chest affections, the result of a chill, &c.

Anyone ignorant of medical science would not likely be able to classify the disease accurately; possibly he may have observed that their symptoms were something similar to those which I stated to resemble phthisis, and so, for want of knowing better, call the disease so also.

Are you satisfied that my instructions, re the *nourishment* diet were properly carried out?

It might be interesting to know what food was given them. I trust my explanation will be satisfactory.

I have, &c.

ROBERT MCBURNEY, M.D.
Health Officer.

F. C. Hornbrook, Esq.,
Polynesian Inspector.

No. 51.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 25, 1894.)

Government House, Brisbane,
May 18, 1894.

MY LORD MARQUESS,

I HAVE the honour to state, for the information of your Lordship, that, on receipt of your Despatch of the 13th January last,* with its enclosures, namely, copy of a letter from the Rev. J. G. Paton to your Lordship, and your reply, on the subject of the recruitment of Pacific islanders for labour in Queensland, I referred the correspondence for the remarks of my Chief Secretary.

2. I now enclose copy of the reply I have received from Mr. H. M. Nelson which I trust will be satisfactory to your Lordship.

3. It does not seem necessary that I should supplement the letter of the Chief Secretary with any lengthy remarks of my own, but I would express, as I have previously done, my conviction that every infraction of the Pacific Island Labour Regulations will, when proved, be dealt with by the Queensland Government with extreme rigour. From constant visits to estates and ships I am assured that the treatment of the islanders in Queensland and at sea is humane, and the number of islanders who eagerly return to the Colony, after one or more periods of service here, is, in my opinion, proof that employment here is popular with these people.

4. I take the opportunity of sending also, for your Lordship's information, copy of a correspondence with the High Commissioner of the Pacific, relative to a report made to him by the Rev. J. G. Paton, of an irregularity alleged to have taken place in the recruiting of native labourers at Malikula, on the Queensland schooner "Lochiel." It will be seen that the woman referred to in Mr. Paton's letter was illegally recruited, but I think a perusal of the correspondence will show that the Queensland Government is by no means disposed to overlook complaints made when facts are clearly deposed to. When I hear further from the Chief Secretary with respect to the investigation, which is still proceeding, as stated in the latter part of Mr. Nelson's letter of the 26th ultimo, I will again address your Lordship.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 51.

Chief Secretary's Office, Brisbane,
May 16, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of Lord Ripon's Despatch, of 13th January 1894, enclosing copies of a letter from the Rev. J. G. Paton, respecting the Queensland labour traffic, and of the reply which has been returned to it by his Lordship's direction.

Before entering into particulars with regard to the special instances adduced by Dr. Paton in support of his contention that the trade of recruiting Pacific Island labour is actually and necessarily an immoral traffic, I would point out that the reverend gentleman has, in the statement which he was requested to prepare for the information of the Colonial Office, gone quite outside the limits of the special subject to which he was desired to confine his report. Mr. Bramston states, in the letter of which a copy is enclosed with the Despatch, that it was explained to Dr. Paton at his interview with Lord Ripon and Mr. Buxton, that the question upon which information was required was, whether serious cases had occurred of infringements of the new Queensland Regulations of 1892, and whether offences against the Pacific Islanders Protection Acts have been committed by Queensland vessels licensed since that date. In Dr. Paton's Report the limits so prescribed are almost entirely disregarded, but I am glad to perceive that the accumulation of instances of alleged abuse gathered together in his letter has not prevented the Colonial Office from observing that he does not adduce a single instance of violation of the Protection Acts, and quotes only one alleged case of infringement of the new regulations. I think this is, of itself, sufficient to

justify me in stating that he has failed to prove his assertion that the revised regulations were merely a "cover" for the revival of the traffic under its old liabilities to abuse.

At the very outset of his statement of particulars presumed to be damaging to the character of the traffic Dr. Paton displays a tendency to inaccuracy which I shall have occasion to illustrate more than once in the course of this letter. Under the heading of "A. Preliminary," paragraph 2 (a), he states that: "The very same vessels and captains are largely engaged in the Pacific now that were engaged in it up to the time of its condemnation in 1885, and until its temporary cessation in 1891."

As a matter of fact, there are now in the trade who were in it in 1885 *one* captain and *one* Government Agent. The latter was at the time mentioned the master of a labour vessel, and in neither capacity has any complaint ever been lodged against him. There are also four of the old vessels still in the trade, but I fail to see that any stigma attaches to the craft themselves which should induce the Government to refuse a license in their case.

The argument brought forward in paragraph 2 (b) under the same heading, which is to the effect that, as previously existing regulations failed in practice, the new regulations are no more likely to succeed in producing the desired result, might have some force if the revision of the conduct of the trade had consisted solely in the making of regulations. But, as your Excellency is aware, the exposure of abuses has resulted not only in the increased stringency of the regulations, but in the increased strictness of their enforcement; and fresh security for the legal conduct of the trade is now obtained by a scrupulously careful selection of men of high character as Government Agents, who are, nevertheless, made aware that no previous record, however creditable, will, in the event of any breach or neglect of any of the more important regulations, prevent their dismissal from the public service of the Colony. Every reported irregularity affecting the character of a civil officer engaged in the trade which has in it any element of gravity is at once made a subject of investigation by the Civil Service Board, the independence of whose inquiries is in no way affected by the character of the Government for the time being, and it is not too much to say that the traffic is now carried on not only under new regulations, but under entirely altered conditions.

As regards paragraph 2 (c), dealing with ineffectual visits of inspection to labour vessels by Her Majesty's ships of war in the Pacific, I am, of course, not in a position to state how far the alleged inutility of these inspections was due to the manner in which they were conducted, and how far to the conditions under which the trade was carried on, but I am quite sure that, with the class of men now in control of the recruiting operations, there would be no likelihood of, and no necessity for, any attempt to practise deception upon the officers of Her Majesty's vessels.

Under the heading of "B. First main contention," Dr. Paton quotes the case of an islander who, with his wife, was landed from the "Para" in 1891 on the island to which they belonged, but on the other side from that at which they had been recruited. After the vessel left, the man was murdered by the Natives, and the wife fled to her own part of the island. The official report of the case shows that for some reason, which is surmised to be that the nature of his union with his reputed wife constituted some offence against tribal law, the man was afraid to land at his own village, and desired to be landed at a place where he believed he would be among friends, and there can be no doubt that he ultimately lost his life for some serious offence against the social laws of his race. Dr. Paton does not mention that Mr. Gray, the missionary at the place, who signed the landing certificate, and who afterwards reported the murder, concludes his report by stating that "Mr. Cecil (the Government Agent) is free from blame as far as landing here is concerned." If Dr. Paton was not aware that in the original report of the case the agent of the Queensland Government was exonerated from all blame in the matter, it only furnishes an instance of the imperfect manner in which he has prepared and presented his information. I observe in Mr. Bramston's letter that Lord Ripon himself has remarked that in no case adduced does Dr. Paton draw from his own experience.

The next alleged irregularity referred to is the landing of eight Tanna men at Erromango by the labour vessel "May" in June 1892. The official landing report by Mr. Government Agent Cecil is as follows:—

"These Natives were landed at the Mission Station, Erromango, on June 17th, 1892, of their own free will. All these boys belong to the districts where the war has been carried on of late, and, from what I could find out from them, and others of the returns, were afraid to go ashore there till the missionary, Mr. Gray (who was at the time that we wanted to land there at the missionary meeting then being held in Port

Myang, Aniteum) had returned to Tanna. He was not expected back from there till after the end of the month for certain, and would probably be some time after that date. They all live within three miles of the mission house at Wei Sisi, Tanna. Their fare has been paid to Wei Sisi, and if they wish to go back to Tanna, they can do so at any time they like, or they could go by the missionary's boat from Erromango, which goes occasionally to Mr. Gray's and Mr. Watt's."

The case was fully inquired into after the return of the vessel, and Sir Samuel Griffith, who was then Chief Secretary, after examining the papers, recorded his satisfaction with the action of the Government Agent.

The third case to which attention is called relates to a breach of Regulation 12 by Mr. Government Agent Hammond of the "Lochiel" in recruiting on the 27th of May 1893, an islander at Pansarit, with a woman not his wife, and is the only complaint that has any relevance to the particular questions upon which Dr. Paton was requested to report. I have already dealt with this charge in my letter to your Excellency dated the 26th ultimo, in which I stated that the Government are satisfied that there was good ground for the complaint. It appears that the woman followed the man on board the "Lochiel." The man stated that she was not his wife, but when she cried at being ordered ashore, he consented to take her, and the Government Agent allowed her to recruit. It was impossible, however, to obtain an explanation from Mr. Hammond, as before the matter came on for inquiry he had been dismissed from the public service on another charge, and had left the Colony.

As a further instance of the alleged irregular conduct of the traffic, Dr. Paton quotes from a report, dated April 1893, by Dr. William Gunn, a medical missionary on Fotuna, who states that "one-fourth of the population of Fotuna, mostly the young, were destroyed by dysentery, which was brought by a labour vessel from Queensland" landing a return Fotuna woman with a half-caste child suffering from this malignant "and fatal disease, not endemic to the island."

This matter, which relates to the labour vessel "Empreza," was thoroughly inquired into at the time, and the result of the investigation satisfied the Government that the charge was groundless. It is sufficient now to say that the health officer's report shows that the returns by that vessel were all in good health when they left Queensland; that it is denied by the Government Agent of the vessel that either woman or child was suffering from dysentery or any other form of sickness when they were landed; and that it is asserted by everyone engaged in the trade that dysentery was then raging all through the islands.

In connection with this charge, Dr. Paton states that the Queensland labour vessels "are under no rule in this respect." It is true that they are under no quarantine rule any more than other traders or missionary vessels in the islands, but they are under the rule of a responsible Government official, and the very nature of their trade is as great a protection as any regulation could be.

This is the last instance cited of what may be called "irregularities," and, as before noticed, only one of the four relates to the trade under the present regulations. All of these have been inquired into, as will always be the case when any alleged irregularity is brought under the notice of the Government, who are fully alive to the fact that the continued existence of the trade depends upon the enforcement of the conditions imposed upon it by law. It is true, as Dr. Paton complains, that when charges are made the Department takes the liberty of asking for names and dates. It is difficult to see how this is other than a reasonable preliminary to thorough investigation, and, as missionaries and others in such cases generally of necessity get their information from islanders who, if heathens, are, as Dr. Paton himself says, "as a rule inveterate liars," and even when Christians are not much less unsatisfactory as deponents, it is all the more necessary, for the purposes of subsequent inquiry on the part of the Government, that complaints should be accompanied with particulars of name, date, and place.

Attention is called by Dr. Paton to the rescinding of the instruction to Government Agents as to chest measurement of recruits, and it is intimated that the instruction was withdrawn because the biggest men had been for the most part recruited, and that, in order to obtain further supplies of labour, it was found necessary to adopt a lower standard. The true explanation of the matter is that the instruction was framed in order to get over the difficulty of determining the age of 16, but, being based upon European experience, it was found unworkable, and it can be proved so by taking the measurement of any islanders of average physique, not lower standard.

The writer is especially emphatic in his statement as to the impracticability of carrying out Regulation 14, which directs "the Government Agent to see that each

“islander fully understands the nature of his agreement.” This objection could only weigh with those who are not aware that recruiting has been going on for about a quarter of a century, that thousands of islanders have come to and gone back from Queensland, and that hundreds come here a second and third time. Every report of a recruiting voyage shows a number of Natives recruited who have previously served a term of engagement in the Colony, and through intercourse with these, apart altogether from the explanations of Government Agents by means of interpreters, the nature of the agreements is a matter of common knowledge in the islands. Anyone who witnesses the “signing on” by the inspector at the port of arrival will easily see that, with ordinary care, the regulation is one which presents no difficulty as regards its enforcement. I may add here that if missionaries or others were to satisfy the Government that the most important of their regulations for the conduct of the trade are unworkable, it would need no appeal to the Imperial authorities, as to a higher conscience, to lead to the abandonment of the traffic. But the very fact that the most determined opponent of the trade has only been able to bring forward one charge of irregularity under present conditions, and even that not of a very grave character, is sufficient of itself to show that the regulations are proving themselves effective for the prevention of abuses.

In connection with his allegation that engagements are not understood by the Natives, Dr. Paton quotes a portion of Letter VII., of the “Argus” representative, who in 1892 accompanied the labour vessel “Helena” to the Solomon Islands, having, without disclosing his purpose, obtained a position as supercargo on board the schooner, in order that he might have an opportunity of depicting the traffic as it is conducted. Anyone who reads the entire series of letters will at once recognise that the writer’s amusing account of a lesson on board ship in the English words which the recruits would be all the better for understanding when brought into the presence of the inspector at Bundaberg was in no way intended by him to convey the idea that those islanders did not understand the nature of their agreement. A more ingenuous disputant would have admitted that the writer from whom he quoted was no unfavourable critic, as may be seen from a letter later on in the series, in which, summing up his impressions derived from personal experience, he states: “The cruise of the ‘Helena’ made it very clear that malpractice in the recruiting of islanders is practically impossible under the existing system.”

It is perhaps worth noticing, but only as illustrating Dr. Paton’s controversial methods, that he closes his quotation precisely at the point where it might produce the worst impression. Had he added the concluding words of the paragraph quoted, viz., “The threat was, as I afterwards discovered, an empty one, but it spurred the scholars to learn their lesson,” it would have taken the sting out of the previous sentence, and would have shown the good-natured vein in which the whole matter was related.

The matter of sending home sick islanders is mentioned (C.(2)), and fault found with the expressed opinion of a Government Agent who states in his log that “it is an injury to the trade to send back boys who, if they lived to be landed, have to be carried ashore.” There is no doubt that a Government Agent did so express himself in his log, but the point to be regarded is the action of the Department in connection with such cases, and the rule of the Department is that all sick islanders desiring at the expiry of their time to return home are allowed to do so if the medical officer at the port of departure certifies that the voyage will not likely be injurious to them.

Dr. Paton directs attention to a “scandal connected with the Immigration Department whereby it is proved that a system of middlemen has been established, who for large premiums, by lying and bribes, induce the time-expired islanders to extend their time in the Colony.” What the Department chiefly regret in connexion with this charge is that so much of it as was no doubt true was not proved. The employé of the Department who was culpably involved in the matter was only saved from a punishment more severe than he received, namely, enforced resignation from the service, by the Polynesian witnesses contradicting their own evidence. The case was thoroughly investigated by the Civil Service Board, and the evidence does not bear out Dr. Paton’s statement that they were induced to extend their time in the Colony. It was made clear that they intended to remain here in any case, and had they held to their original statements there is no doubt that some one would have been found guilty of falsifying agreements.

As regards the system of giving “trade” or “presents,” islanders do get trade when they recruit, and give it to their friends generally. Some of them refrain from taking trade, and demand money upon their arrival here, get it, and spend it. As much as 120/ in gold has been paid to recruits in one ship, which does not seem to support

Dr. Paton's assertion that "presents" are only the price of purchasing human beings, at least in the sense in which he desires his statement to be accepted.

C. 11A. The case quoted as having been reported by Mr. Britton, and dealt with by Captain Davis of H.M.S. "Royalist," does not refer to a Queensland labour ship at all.

The statement of the Rev. Mr. Leggatt, that on one of the trips of the labour vessel "Helena" so much tobacco was given as "presents" at the island of Aoba that no work was done for the local traders for some months, can hardly be taken as a serious charge against the labour trade. The local traders, who, according to Dr. Paton, are, "as a rule, bad men," obtain a large amount of labour for very little tobacco, and the fact that the supply of the latter brought by the "Helena" rendered a number of the Natives independent of work for some months does not appear to reflect upon the humane conduct of the traffic.

Paragraphs 12 to 14 under this heading (C.) are difficult to reply to, simply on account of the general nature of the indictment, which derives what force it may have from the purely gratuitous assumption that any form of indented labour for a term of years must be of the essence of slavery. Such a statement as that the treatment of the Pacific islanders "depends upon the kindness or otherwise of their planter, master, or overseers, just as much as it did in the old days of slavery," is so flagrantly untrue that it only deserves to be met with a direct denial. It is as unlawful in this Colony to ill-treat, wrong, or injure a Polynesian labourer as to ill-treat, wrong, or injure a European labourer, and the islanders are perfectly aware that they have their rights, and that there is an appeal beyond their masters. In every direction they are hedged about by law for their protection and general well-being, and, as regards their actual situation, it is superfluous for me to heap up testimony as to the favourable conditions under which they live and work while in this Colony. To arrive at a conclusion as to whether the islanders are benefited physically by their stay in Queensland, one has only to compare the appearance of a shipload of newly-arrived recruits with that of the labourers who have been for some time working on the plantations. The difference in favour of the latter leaves no room for doubt on the question in the minds of those who have had an opportunity of making the comparison.

The visits of the Government Inspectors to the plantations are not rendered futile, as Dr. Paton represents, by timely notice being given to the planters of the date of the proposed inspection. The visits of inspection are surprise visits. Special visits of investigation into any particular complaint, or other matter calling for inquiry, are necessarily notified beforehand. Dr. Paton is unaware of the distinction, and his use of the word "doubtless," in introducing his insinuation, makes it appear probable that he has not cared to obtain accurate information on the point.

C. 16, 17. With respect to Dr. Paton's observation as to the "disastrous effect of the traffic upon our Christian mission," I cannot do better than quote the testimony of Dr. Lamb, as set forth in the following extract from the "Brisbane Courier" of 9th March 1894:—

"The Rev. Dr. Lamb, medical missionary on Ambrym, New Hebrides, in reporting in the 'Free Church of Scotland Magazine,' his first years on the island, says that the beginning of the work was made in Queensland. When coming north from the Synod in the "Croydon," Dr. Lamb met the "May," a labour ship, at Ngwna, and on it he found 14 Ambrym people holding a service in English. They had learned to become Christian while labourers in Queensland, and to have proved earnest evangelists. Gospel preaching was begun in the villages, partly in pigeon-English, which is becoming a *lingua franca* all over the group, partly in Malekulan, and afterwards through the Queensland lads acting as interpreters. The earliest attempts made to evangelise Ambrym were by Natives who had gone to Queensland to labour on the plantations, had learned Christianity there, and who, on their return to the island, began to build a church, and to instruct their fellow islanders. Dr. Lamb has five lads who have learned English and Christianity in Queensland. These men were successes in Queensland, and were receiving as much as 39% a year, with their board. The mission can offer them only 6% a year, but they have come back to the islands for their work's sake."

In this connection I may also quote from a letter addressed to Sir Samuel Griffith on the 3rd of October 1892, by the Rev. Joseph King, Australian Agent for the London Missionary Society:—

"You have, I believe, received a memorial from the directors of the London Missionary Society in reference to the Pacific Island Labourers (Extension) Act of 1892."

"As the Agent of the society in Australasia, I wish to point out that the memorial was prepared in London, and that the Australasian auxiliaries had no knowledge of the intention of the directors to publish such a protest. I regret that it was not referred to our Australian committees. Had it been so referred, the error in reference to New Guinea would have been corrected.

"I felt it was due to our committees in the different Colonies to inform you that, whatever views they may hold in reference to the employment of Polynesian labourers in Queensland, they are not responsible for this memorial.

"With this letter I am forwarding some cuttings from the 'Australian Christian World' in reference to a visit I paid to some of the plantations recently. You will see from my articles and the correspondence upon it that I have been strongly urging the importance of a calm and fair consideration of all the aspects of the question.

"While I do not advocate a continuance of the system, I have been grieved to read much which has been written against the resumption, and in the name of common justice I have protested against the stigma which has been cast upon Queensland and Queensland planters.

"The object of my article, as you will see, is to advocate the further development of missionary work amongst the labourers now on the plantations. So long as the new Act remains in force large numbers of Polynesians will be residing in Queensland, and the facilities now given by the planters for carrying on missionary work are such that I feel we should do all we can to Christianise the islanders whilst they are amongst us."

The above quotations are, I think, sufficient to show that Dr. Paton's statements as to the effect of the Queensland labour trade upon mission work are not necessarily to be accepted as representing the collective views of the missionary authorities.

That the trade is popular is amply proved by the following table, which shows the result of the last 12 recruiting voyages, with the number of islanders (slightly over 30 per cent. of the whole) who have found it sufficiently attractive to induce them to recruit again (in some cases a third time), having previously been engaged in the same manner in this Colony and other places:—

Ship.	Total Number of Recruits.	Those previously in the Colony or other Places.
Empreza	52	20
May	42	7
Roderick Dhu	91	34
Ariel	63	16
Helena	84	27
Lochiel	119	42
Sybil	87	21
May	37	13
Empreza	98	27
Para	105	33
William Manson	88	25
Roderick Dhu	99	20
	965	285

Upon the subject of the withdrawal of the prohibition against recruiting at Santa Cruz and Tongoa I have already fully reported to your Excellency in my letter of the 12th of March last, in reply to the inquiry contained in Lord Ripon's Despatch, Queensland, of 30th November 1893.

The letter from R. S. Mackay, quoted in this section of Dr. Paton's statement, is chiefly concerned with the practice of giving "trade" to the Natives, but, as the whole force of the charges contained in it depends upon the assumptions that the wares are given for the purpose of "decoying" the islanders, and are bartered for "the black man's body," I do not think it necessary to reply to accusations which can only be attributed to ignorance of the nature of the transactions which the writer professes to describe. Nor do I feel called upon at this stage to "deal categorically" with the letters of the unknown "Marion Disney," which, leaving out of sight their gross inaccuracies, have no bearing upon the actual state of the question.

In the concluding section of his letter, Dr. Paton endeavours to throw discredit upon certain statements made by Mr. Government Agent Rannie, reflecting upon certain

missionaries in the New Hebrides by remarking that Mr. Rannie "saot hmfself immediately on landing in Australia."

It is true that a Government Agent died of a gunshot wound under circumstances which suggested the possibility of suicide, but remorse for his "wicked and malicious accusations" has led to no such issue in the case of Mr. Rannie, who is now alive and well. I have no desire to lay stress on so palpable a blunder, and merely allude to it as another instance of the careless manner in which the writer prepares his information. Nor have I any wish to press Mr. Rannie's charges, or to say anything that might even apparently tend to the disparagement of missionary effort. I am fully sensible of the great work for good which has been accomplished by the missionaries in the Western Pacific, and can even sympathise with their natural jealousy at the introduction of other influences which interfere with their paternal authority over those whom they regard as their people, and I have no doubt that this very pardonable feeling is largely accountable for the hostility of a number of them to the system of recruiting at the islands.

It will be observed that I have dealt only with such portions of Dr. Paton's letter as might be supposed to have some bearing upon the conditions under which the trade is at present carried on, and with such of the other portions as also admit of being dealt with on the ground of actual fact, and I have now only to add that if missionaries, or any other persons, who may become aware of any irregularities in the conduct of the service will supply the facts at once, they will receive the prompt attention of the Pacific Island Department, and will have the thanks, not only of the Government, but of all whose interests are concerned in the continuance of the trade.

I have, &c.

His Excellency

Sir Henry W. Norman, G.C.B., G.C.M.G., C.I.E.,
Governor.

HUGH M. NELSON.

Enclosure 2 in No. 51.

High Commissioner's Office, Western Pacific,
Suva, Fiji, September 28, 1893.

SIR,

I HAVE the honour to enclose herewith, for the information of your Excellency's Government, extract from a letter addressed to me by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malekula on the Queensland labour schooner "Lochiel."

I have, &c.

His Excellency

JOHN THURSTON.

General Sir H. Norman, G.C.B.,
&c. &c. &c.

Governor of Queensland, Brisbane.

EXTRACT from LETTER from the Rev. F. J. PATON to the HIGH COMMISSIONER for the
WESTERN PACIFIC.

Pangkumu Malekula, New Hebrides,
August 8, 1893.

YOUR EXCELLENCY,

I WISH to report a breach of the "Queensland Labour Traffic" Regulations. On Saturday, 27th May 1893, the Queensland recruiting ship "Lochiel," Government Agent Mr. George Hammond, sent boats ashore at a part of the coast known variously as Pansarit or Sanbage, five miles north of mission station marked on maps as Pangkumu. The "Lochiel" recruited a man called Merib Nabur, also a woman who was not his wife, called by two names, Resin Vanu and Reverin Bue. Her real husband, Rochor, and her brother, Barang Tugan, have asked me to report this breach, the woman having left without her husband's consent.

Enclosure 3 in No. 51.

Chief Secretary's Office, Brisbane,
October 27, 1893.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a letter received by you from the High Commissioner of the Western Pacific, with accompanying extract from a letter addressed to him by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malekula by the Queensland labour schooner "Lochiel."

The High Commissioner's letter and its enclosure having been referred to the proper officer for inquiry, I have now the honour to state, for your Excellency's information, that the Immigration Agent has reported that on the 27th of May last a male and female islander were recruited at Malekula under the supervision of Mr. Government Agent Hammond. Mr. Hammond is at present away, having left Queensland in the "Ariel" on the 6th ultimo, but on his return, the date of which is uncertain, a special report will be obtained from him upon this subject.

I have, &c.

THOMAS McILWRAITH.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

Enclosure 4 in No. 51.

Government House, Brisbane,
October 30, 1893.

SIR,

I BEG to acknowledge your letter of the 28th ultimo, with its accompanying extract from a letter addressed to your Excellency by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of labourers at Malekula by the Queensland labour schooner "Lochiel."

Having referred your letter and its enclosure to my Chief Secretary, I am informed that the Immigration Agent has reported that on the 27th May last a male and female islander were recruited at Malekula under the supervision of the Government Agent Mr. Hammond, who is now absent from Queensland in the "Ariel." The Chief Secretary states that on the return of Mr. Hammond a special report upon the subject will be obtained from Mr. Hammond, and I will then communicate the result to your Excellency.

I have, &c.

His Excellency the High Commissioner,
&c. &c. &c.
Western Pacific.

H. W. NORMAN.

Enclosure 5 in No. 51.

Chief Secretary's Office, Brisbane,
April 26, 1894.

SIR,

IN further reference to the letter from the High Commissioner of the Western Pacific, dated 28th September 1893, enclosing an extract from a letter addressed to him by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malekula on the Queensland schooner "Lochiel," I have now the honour to inform your Excellency that inquiry has been made into the matter, with the result that the Government are satisfied that the woman referred to in Mr. Paton's letter was illegally recruited.

The Government Agent in this case is the Mr. Hammond of the "Lochiel" who was recently dealt with on another charge and dismissed from the public service, and as he has now left the Colony it is, of course, impossible to take any further action in the matter so far as he is concerned. There are only two others who could in any way share the responsibility for this offence, and of these one is already debarred from taking part in the labour trade. The connection of the other with the proceeding

complained of is still under investigation, and if any facts are elicited which call for further action I shall again communicate with your Excellency upon the subject.

I have, &c.

HORACE TOZER.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

Enclosure 6 in No. 51.

Government House, Brisbane,
April 27, 1894.

SIR,

IN continuation of my letter of 30th October 1893, I have the honour to forward to you a copy of a letter received from my Chief Secretary in connexion with the illegal recruiting of a woman by the Agent of the labour vessel "Lochiel" at Malekula, and to state that the Agent referred to has been dismissed from the public service, and has left the Colony.

I fear, therefore, that it is impossible to give you any further information on the subject. Should, however, any report be received at a later date I shall be happy to forward it to your Excellency in due course.

I have, &c.

His Excellency the High Commissioner,
&c. &c. &c.
Western Pacific.

H. W. NORMAN.

No. 52.

SIR JOHN THURSTON to the MARQUESS OF RIPON.
(Received July 5, 1894.)

[Answered by No. 55.]

High Commissioner's Office, Western Pacific,
Suva, Fiji, May 19, 1894.

MY LORD,

REFERRING to my Despatch of the 17th February,* with regard to the landing from the Queensland labour vessel "Ariel" at Uripiv in the island of Malekula in the New Hebrides of two men belonging to a place some 25 miles distant, I have the honour to enclose copy of a letter I have received on this subject from the Governor of Queensland, and of my reply thereto.

I may also mention that in September last I called the attention of the Queensland Government to an alleged irregular recruiting of a woman at Malekula, in the New Hebrides, in the Queensland vessel "Lochiel." I am informed that on inquiry the Queensland Government are of opinion that the woman in question was illegally recruited; that of the only three people who could be at all responsible for this occurrence, two have been already dismissed the service on account of other irregularities, and that inquiry is pending with regard to the third.

I have, &c.

JOHN B. THURSTON.

Enclosure 1 in No. 52.

GOVERNOR OF QUEENSLAND to the HIGH COMMISSIONER, Western Pacific.

Government House, Brisbane,
April 16, 1894.

SIR,

I HAVE the honour to forward, for your information, and in reply to your Excellency's letter of the 17th February last, respecting the landing by the labour vessel "Ariel" of two returned islanders at Uripiv, a place some 25 miles distant from their homes, a copy of my Chief Secretary's letter of the 10th instant † in explanation of the occurrence.

The term "passages" used in this letter denotes the place to which the islander belongs or at which he is to be landed.

I have, &c.

H. W. NORMAN.

His Excellency the High Commissioner,
Western Pacific, Suva, Fiji.

Enclosure 2 in No. 52.

High Commissioner's Office, Western Pacific,
Suva, Fiji, April 30, 1894.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 16th April, covering copy of a minute by your Excellency's Chief Secretary with regard to the landing of the labour vessel "Ariel" at Uripiv, on the island of Mallicolo, of two return labourers belonging to a place some 25 miles distant.

While agreeing with Mr. Nelson that, under circumstances to which he averts, islanders should not be landed at their own "passages" when these have become unsafe, I must point out that this was not the case with the islanders referred to; and I would also suggest, for his inquiry and consideration, that changes through inter-tribal fighting such as would render unsafe the landing of an immigrant labourer at his own home are not frequent, but merely occasional.

No. 43 of the Queensland Regulations of the 20th May 1892 provides that whenever return islanders are landed elsewhere than at their own villages or passages, every such case and the reasons for granting the permission shall be specially and fully recorded in the Government Agent's log. In the present instance the regulation has not been complied with. Possibly Mr. De Vaux's neglect to do so was unintentional, as he says that when the ship was opposite the island of Orapio (Uripiv) the two boys, 7 and 9, told him that that was their passage, and he may therefore have thought he was landing them where they were recruited. In another letter he says "the place is always called Port Stanley, and Orapio is a part of it."

It is true that Uripiv is situated in Port Stanley, but I think that on investigation it will be found that Mr. De Vaux is in error in supposing that Nelamboon is in Port Stanley, and that with proper care such error could have been avoided. On reference to the chart, I find, some way to the south of Uripiv, a place called Malabua, which is probably the same as Nelamboon. This in a direct line appears to be about 10 miles distant from Uripiv, but over 20 miles by water, which appears to answer the description given by Mr. Gillan; but, whether this is the place or not, if Mr. Gillan's statement of distance is approximately correct, which, remembering the labourers in question had to be taken to their homes by steamer, there is little reason to doubt, Nelamboon cannot be part of Port Stanley.

As I observed in a previous Despatch, it is quite possible that the Nelamboon Natives requested to be landed at Uripiv on the instigation of their Uripiv friends, and not at the request of the master or Government Agent. At the same time, the fact remains that they were not landed where the log states they were landed. I would, therefore, suggest the advisability of the Queensland Government giving instructions to its agents on labour vessels, and especially to Mr. De Vaux, to exercise the greatest care in acquainting themselves with the localities of the places at which islanders were originally recruited, and in seeing that the provisions of No. 43 of the Queensland Labour Regulations of 1892 are fully complied with.

I have, &c.

JOHN B. THURSTON.

His Excellency General Sir Henry Norman, G.C.B.,
&c. &c. &c.
Governor of Queensland.

No. 53

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

[Answered by No. 73.]

SIR,

Downing Street, July 5, 1894.

I HAVE the honour to acknowledge the receipt of your Despatch of the 13th of May,* forwarding a copy of a letter from the Chief Secretary of Queensland respecting the cause of the high rate of mortality among the return labourers shipped on the vessel "William Manson."

Although the conduct of the Health Officer seems to have been satisfactory, the deaths of nine boys on board ship remain unaccounted for, and I should be glad to know whether the Government Agent is able to give any explanation in addition to the formal statement of the deaths that occurred and their causes contained in Appendix B. accompanying your Despatch of the 12th of April.†

I request also that you will inform me whether the desirability of securing Government Agents possessing some little medical knowledge, particularly in the case of long voyages, has been fully considered by your Government.

I have, &c.

RIPON.

No. 54.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received July 12, 1894.)

Government House, Brisbane,

MY LORD MARQUESS,

May 30, 1894.

IN continuance of my Despatch of the 28th December 1893,‡ in which I forwarded, for your information, copies of certain documents respecting the labour vessel "Rio Loge," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department, respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 54.

Department of Immigration,

Pacific Island Labour Branch, Brisbane,

SIR,

May 25, 1894.

THE return of the labour ship "Rio Loge" to Bundaberg, on the 10th instant, affords me the honour of reporting upon her recent, and first voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 150 islanders, and licenses were granted to enable the master to recruit that number for 13 plantations in the Bundaberg, Maryborough, and Mackay districts.

William Spence was the master, and Mr. D. Shepherd the Government Agent.

The ship left Bundaberg on the 12th December last, having 139 returning islanders on board, and arrived at Tanna on the 29th of the same month.

All the returning islanders were landed at their proper villages or passages, with the exception of six who were landed elsewhere at their own request (*see* Appendix A.), and four, viz., Nos. 1 and 2 on Maryborough list, and 70 and 73 on the Mackay list, who could not be landed owing to bad weather. Nos. 70, 73, and 1 decided to remain in Bundaberg, and have entered upon a three-years' agreement in that district, whilst No. 2 is waiting to be returned by first ship available.

The under-mentioned returning islanders died during the passage:—

January 1st, 67 Bg. "Yarrowaggandi," of tubercular disease.

„ 3rd, 54 Mky. "Heropine," of consumption.

„ 22nd, 62 Mky. "Gwayroh," „

* No. 50.

† No. 46.

‡ Not printed.

On the 24th February, a stowaway was discovered to be on board and was landed at his village; he has since been identified in the office register.

On the 25th April the ship took her departure from San Christoval for Queensland, carrying 83 recruits, who were brought from the following groups:—

New Hebrides	-	-	-	20
Banks	-	-	-	2
Solomon	-	-	-	61

Total - - - 83 including 25 previously in Queensland.

The Health Officer passed all the islanders with the exception of No. 6, who requires medical treatment.

With regard to Regulation 46, no money was forwarded by the "Rio Loge" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

I enclose, herewith, tracing* of the course of the ship, showing places where islanders were landed and recruited.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

The Principal Under Secretary,
Brisbane.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of six cases where islanders were landed elsewhere than at their proper Villages during the Voyage of the Labour Ship "Rio Loge."

Name.	Proper Village.	Island.	Extract.
54 Bg. Tomassery	Woralamo	Sandwich	1894. 5th January, at Mow. Boats left at 9 a.m. to land three returns, "Tavasse," "Bingaman," and "Tomassery." "Tavasse" was received by his friends. Missionary Milne told me he was right. "Bingaman" belongs to Sandwich Pass Mow, refused to be landed at Makura as shown on list. He was received by his own people. Spoke good English. "Tomassery" also belongs to Sandwich Passage, Havanah Harbour, and not to Makura, where he refused to go. He was received by his brother 16th January at Api.
53 Bg. Bingaman	Ditto	Ditto	"Yenpah" and "Lutoh" requested to be landed at Lamén Passage, Fashes. After fully explaining that they could not be landed at Big Bay, took them ashore as desired. They met some of their friends and assured me they were safe; could walk home before night; would not return to ship.
28 Bg. Yengpah	Wyeel Big Bay	Api	17th January. "Marginetto" entered as Aoba, came to me and said he belonged to Mallicolo and would not land anywhere but at Vow.
22 Bg. Lutoh	Ditto	Ditto	21st January, Mallicolo. "Marginetto" was again examined by me as to landing here, vide 17th instant. He would land only at Mallicolo.
19 Mky. Marginetto	Monewet	Mallicolo	22nd January. "Tarwaga" refused to be landed at Aoba, and would only land at Maivo, his brothers being there; he stated that the Rev. Mr. B., of Bundaberg directed him to go to Maivo Station.
15 Bg. Tarwaga	Longannan	Aoba	

* Not forwarded.

No. 55.

The MARQUESS OF RIPON to SIR JOHN B. THURSTON.

SIR,

Downing Street, July 17, 1894.

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th of May,* transmitting copies of a correspondence which had passed between the Governor of Queensland and yourself respecting irregularities in the labour traffic, in which the vessels "Ariel" and "Lochiel" were alleged to have been concerned.

I observe, with satisfaction, that you are ready to take up the question of any irregularities which may be alleged to be committed in connection with this traffic.

I have, &c.

RIPON.

No. 56.

COLONIAL OFFICE to the REV. J. G. PATON.

SIR,

Downing Street, July 17, 1894.

WITH reference to your letter received on the 16th of December 1893, and to the reply from the Department of the 13th of January 1894,† respecting the Queensland labour traffic and alleged abuses in connection with it, I am directed by the Marquess of Ripon to transmit to you, for your information, a copy of a Despatch,‡ from the Governor of Queensland, to whom your letter was referred.

I am, &c.

JOHN BRAMSTON.

No. 57.

THE REV. J. G. PATON to COLONIAL OFFICE.

(Received July 31, 1894.)

[Answered by No. 58.]

2 Park Quadrant, Glasgow,

July 14, 1894.

MY LORD MARQUESS,

WITH reference to my memorandum of December last,§ drawn up at your request, and setting forth the evils of the Kanaka labour traffic between Queensland and the New Hebrides, and to your Lordship's reply of the 13th of January last,|| I have the honour to enclose, for the information of Her Majesty's Government, copies of a pamphlet¶ which I have felt bound to circulate in reply to the misleading and false statements that are being distributed in this country by the Queensland authorities in favour of the traffic, and condemnatory of me for my opposition thereto.

In the pamphlet, I have fully met your Lordship's reference to recorded opinions in opposition to my views. I have also shown, as I venture to think I did very amply in my memorandum of December, not only that abuses have occurred under the New Regulations, but also that, from its very nature, as a trade in the bodies of men and women, the traffic *cannot* be conducted without abuses, deception, sorrow, and cruel wrongs to family relations and island communes.

Your Lordship says that it is premature to make out a case of abuse, and that there is no reason for concluding that abuses prevail.

I confess that such statements, in the face of my memorandum, are utterly at variance with my conception of the meaning of abuse, and entirely contrary to facts, unless,

* No. 52.

§ No. 28.

† Nos. 28 and 32.

|| No. 32.

‡ No. 51.

¶ Not printed.

indeed, I am to understand that Her Majesty's Government regard anything short of such murders and horrible brutality and lawlessness as occurred on the "Hopeful" and other vessels as the only form of abuse which they can regard as serious enough for Imperial interference.

Surely, my pleading is by no means premature while such gross abuses of the Regulations as those pointed out in Mr. McKay's letter to the "Daily News" of the 3rd November 1893, with regard to extra cargo, &c. remain unchallenged. And I would remind your Lordship of the wholesale slaughter by disease imported by a labour vessel, which occurred on Fotuna, and other islands, so late as February 1893, immediately after the traffic was revived. These two cases were mentioned in my memorandum, and must have escaped attention in Mr. Bramston's reply. But besides these, there are other cases of abuse, serious and categorical, which are mentioned both in my memorandum, and in the pamphlet now sent, all proving—as Bishop Selwyn lately admitted at the Colonial Institute—that the traffic offers opportunities for abuse which Regulations, however stringent and carefully devised, cannot possibly guard against amongst these islands.

I call your Lordship's serious attention, also, to Mr. Basil Thompson's clear views and warning words as regards the traffic in his letter to the "Leeds Mercury" of the 18th May 1894.

Having thus tried to perform a solemn duty to my God and humanity and our oppressed defenceless islanders, I leave your Lordship, the British Nation and Colonies, and the world, to judge between my opponents and myself, believing, as I firmly do, that every Christian, and all who love justice between man and man, will agree that a traffic so closely allied to slavery, and causing such suffering and loss of life, is a dark blot on our British and Colonial honour, which should not for a single day longer be allowed to exist.

As one of Her Majesty's most devoted subjects and zealous for Britain's honour and God's glory,

I am, &c.

JOHN G. PATON, D.D.,
New Hebrides.

P.S.—Since the foregoing was written I am, with sincere thanks to your Lordship, in receipt of an official copy of the reply* by the Hon. H. M. Nelson, Premier of Queensland, to my memorandum of December last. Having carefully weighed afresh all the arguments and excuses therein advanced, I have added to this pamphlet, by way of rejoinder to the Premier (*see* Appendix B., page 52) final reasons for still insisting that my charges and allegations against the traffic have not been answered and are not rebutted, and that, from the very circumstances in which the labour collecting is carried on, the New Regulations cannot, any more than the Old Regulations, prevent these outrages and abuses which demand, and which justify, its total suppression. I respectfully commend this Appendix to your Lordship's serious consideration.

24th July 1894.

No. 58.

COLONIAL OFFICE to the REV. J. G. PATON.

SIR, Downing Street, August 9, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 14th ult.,† enclosing copies of a pamphlet entitled, "The Kanaka Labour Traffic."

I am, &c.

EDWARD WINGFIELD.

* Enclosure 1 in No. 51.

† No. 57.

No. 59.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received August 27, 1894.)

Government House, Brisbane, Queensland,

MY LORD MARQUESS,

July 18, 1894.

IN continuation of my Despatch of the 24th June 1893,* I have the honour to transmit, for the information of your Lordship, the Report of the Immigration Agent of Queensland on Pacific Island Immigration for the year 1893.

2. The following appear to me to be the most important facts stated in the Report.

- I. 1,130 labourers were brought into the Colony, and 1,201 returned to their Islands.
- II. Of the 1,130 labourers introduced, 904 were brought for employment in the two most important sugar-producing districts, namely, Bundaberg and Mackay.
- III. 58 females are included in the number of labourers brought, and 99 are included in the number returned to their Islands.
- IV. The number of Islanders in the Colony on the 1st of January last is estimated to have been 7,489, or 490 less than on the 1st January 1893. As 1,201 Islanders left the Colony in 1893, and 355 died, while 829 left and 315 died in 1892, it will be seen that, if immigration had not been resumed in 1892, the sugar industry would have had its labour supply most seriously diminished. At present the supply is in some places inadequate, notwithstanding that here and there white men have taken contracts for cane cutting and that various small farmers, with their families, work in the fields.

3. The mortality, it will be seen, is heavy, amounting to about $4\frac{1}{2}$ per cent. for the year. This is a larger mortality than that of last year. It is explained that various diseases were more or less aggravated by the long-continued floods of 1893 and also by an epidemic of dysentery amongst recruits who arrived in the Colony in the early part of the year from Islands where dysentery is said to have been prevalent. There is no means of judging whether the rate of mortality is greater in the Islands than it is here, but it is well known that the death-rate in some of the Islands is very heavy.

4. For reasons stated in the Report, it is found to be very difficult to insure payments being made under the Pacific Island Labourers Act to the relatives of deceased Islanders, and only 52*l.* 8*s.* was expended on this account during the year.

5. The Savings Bank balances of the Islanders during the year have decreased from 18,641*l.* to 14,819*l.*, and the number of accounts has fallen from 2,685 to 1,726.

6. The Report does not show the number of immigrants who had previously served in Queensland, Fiji, &c., although this information was included in the Report for 1892. As I attach importance to the circumstance of a portion of the Islanders who come here being aware of the conditions of the service to which they are coming, I have asked the Chief Secretary to obtain for me a return under this head similar to that supplied in the last annual report, and, when received, I will send the return in continuation.

7. I regret to have to mention that, within the last few days, a serious tribal encounter took place at Bingera in the Bundaberg district between Malayta and Aoba Islanders, and one man was killed and several injured. Some of the people concerned have been apprehended by the police, and will be tried.

I have, &c.

H. W. NORMAN.

P.S.—I am now able to inform your Lordship that, out of the 1,130 Pacific Islanders brought into Queensland in the year 1893, 244 had been previously employed in Queensland, 20 in Fiji, 35 in Samoa, 11 in Noumea, 9 in the Sandwich Islands, 5 in Honolulu, 2 in New Britain, and 1 in Vila.

H. W. N.

July 20, 1894.

Enclosure in No. 59.

PACIFIC ISLAND IMMIGRATION.
(Annual report of Department of).

To the PRINCIPAL UNDER SECRETARY, BRISBANE.

Department of Immigration,
Pacific Island Labour Branch,

SIR, Brisbane, June 18, 1894.

For the information of the Honourable the Chief Secretary, I have the honour to present a report upon the working of this Department of the Public Service during the year ending 31st December 1893.

1.—RECRUITING OF LABOURERS.

The number of vessels engaged in the trade has been 11, of a total registered capacity of 2,285 tons, and possessing certified accommodation for 1,515 labourers. They were owned as follows :—

	No. of Ships.	Tonnage.	Accommodation.
Brisbane	3	854	531
Maryborough	4	611	451
Bundaberg	4	820	533
Total	11	2,285	1,515

At the 1st January 1893, the vessels in the trade numbered eight; three were added during the year, and one was wrecked, leaving, at 31st December 1893, 10.

Thirteen vessels, of an aggregate tonnage of 2,487 tons, have arrived, bringing 1,130 labourers, viz., 1,072 males and 58 females. The groups from which they hailed were :—

New Hebrides	605
Banks	59
Torres	50
Solomons	416
Total	1,130

The districts to labour in which they were introduced were :—

Beenleigh	18
Maryborough	35
Bundaberg	658
Mackay	246
Townsville	45
Ingham	9
Geraldton	100
Cairns	19
Total	1,130

The time occupied in the voyages ranged between 95 and 233 days, the average being 132 days.

One casualty amongst the shipping engaged in the trade occurred during the year, the "Foam" having been totally wrecked on Myrmidon Reef on the 9th February, the day of her departure from Dungeness. There were 81 returning Islanders on board, all of whom were safely landed again in the Colony, and elected to remain and re-engage.

The vessels despatched as under obtained labourers for the districts named :—

Brisbane	-	For Bundaberg, Mackay, Geraldton, Ingham, and Cairns.
Maryborough	-	For Bundaberg, Mackay, Maryborough, and Townsville.
Bundaberg	-	For Bundaberg and Mackay.

Recruiting was carried on with but trifling opposition. In a few instances, the boats were fired upon, but no harm was done.

2.—DEPARTURE OF LABOURERS.

The total number of Islanders who returned to their Islands during the year was 1,201—1,102 males and 99 females. They were carried by 16 ships. The greatest number taken by a ship was 152, and the smallest 4, the average being 75.

The following are the groups of Islands to which these people belonged :—

New Hebrides	-	-	-	-	-	551
Banks	-	-	-	-	-	115
Torres	-	-	-	-	-	43
Solomons	-	-	-	-	-	492
						<u>1,201</u>

3.—MORTALITY.

The reports show an increase of 40 in the number of deaths as compared with the previous year, which is accounted for by various complaints more or less aggravated by the long-continued floods in the month of February, and also by an epidemic of dysentery amongst recruits who arrived in the Colony in the early part of the year from islands where dysentery is said to have been prevalent. The deaths reported to the Department for the past five years are as follows :—

1889	-	-	481	1892	-	-	315
1890	-	-	417	1893	-	-	355
1891	-	-	483				

The districts in which the deaths of 1893 occurred were—

Brisbane and Beenleigh	-	-	-	-	10
Maryborough	-	-	-	-	7
Bundaberg	-	-	-	-	181
Rockhampton	-	-	-	-	5
Mackay	-	-	-	-	74
Townsville	-	-	-	-	9
Ingham	-	-	-	-	32
Geraldton	-	-	-	-	34
Cairns and Port Douglas	-	-	-	-	1
Other places	-	-	-	-	2
					<u>355</u>

Payment to Relatives of Islanders who have died during their Term of Service.

In accordance with section 6 and regulation 46 of "The Pacific Island Labourers (Extension) Act of 1892," the Minister has authorised the sum of 212*l.* 14*s.* 2*d.* to be expended in the purchase of goods for deceased Islanders' relatives at their Native Islands, this sum being part of the wages due to deceased Islanders and part of money lying to their credit in the Government Savings Bank. The various Government Agents sailing in labour vessels to the Islands were instructed to find out the relatives and expend the money in the purchase of goods from the ships' stores for them, but, owing to the difficulty in obtaining satisfactory proofs of relationship, out of 86 cases, in only 20 were relatives found, and goods to the value of 52*l.* 8*s.* supplied to them.

4.—LABOURERS WITHIN THE COLONY.

It is impossible to give the exact number of Pacific Islanders in the Colony, as some of them are of a roving disposition, and travel beyond the range of Inspectors, who are therefore unable to include them in their annual return.

The number of Islanders in the respective districts, from estimates compiled by the resident Inspectors, as at 1st January 1894, was as follows :—

	1893.	As compared with previous Year.	
		Increase.	Decrease.
Brisbane (say) - - - - -	150	—	—
Beenleigh - - - - -	107	26	—
Maryborough - - - - -	767	143	—
Bundaberg - - - - -	2,676	—	146
Rockhampton - - - - -	168	44	—
Mackay - - - - -	2,081	—	21
Bowen - - - - -	15	—	9
Townsville - - - - -	369	—	167
Ingham - - - - -	530	—	195
Geraldton - - - - -	299	—	50
Cairns - - - - -	127	—	15
*Thursday Island - - - - -	200	—	100
	7,489	213	703

1st January, 1893 - - - - - 7,979

Decrease - - - - - 490

1st January, 1894 - - - - - 7,489

These returns include “exempts,” those under “agreement,” also those “walking about.”

As affording some idea of the number of agreements entered into by Islanders, and the work thereupon devolving on the respective Inspectors, a schedule of agreements made during the year is given hereunder :—

Districts.	New Introductions.		Re-Agreements.		Transfers.		Total.	
	Sets.	Names.	Sets.	Names.	Sets.	Names.	Sets.	Names.
†Brisbane - - - - -	5	303	4	7	—	—	9	310
Beenleigh - - - - -	—	—	19	23	—	—	19	23
Maryborough - - - - -	9	129	168	271	—	—	177	400
Bundaberg - - - - -	36	510	792	1,605	5	70	833	2,185
Rockhampton - - - - -	—	—	31	97	—	—	31	97
Mackay - - - - -	13	109	564	1,374	—	—	577	1,483
Bowen - - - - -	—	—	2	2	—	—	2	2
Townsville - - - - -	4	62	23	115	—	—	27	177
Ingham - - - - -	—	—	141	332	—	—	141	332
Geraldton - - - - -	—	—	52	135	—	—	52	135
Cairns - - - - -	—	—	13	27	—	—	13	27
	67	1,113	1,809	3,988	5	70	1,881	5,171

Facilities are afforded Islanders to place their money in the Government Savings Bank through the Inspectors. On reference to Appendix B, it will be seen that in this way a sum of 14,819*l.* 12*s.* 8*d.* was in the bank at 31st December 1893, to the credit of 1,726 Islanders.

5.—THE STAFF OF THE DEPARTMENT.

Consisted of the following :—

The Immigration Agent—Officer in charge ;

Two clerks in Chief Office, Brisbane ;

* Engaged in Bêche-de-mer and Pearl-shell Fisheries.

† These represent agreements made through head office for labour in other districts, viz. :—

Bundaberg - - - - - 97

Mackay - - - - - 108

Geraldton - - - - - 98

Four Inspectors—viz., Maryborough, Bundaberg, Mackay, and Townsville ;
Two Clerks and Assistant Inspectors—one each at Bundaberg and Mackay ;
Five Inspectors holding other offices—viz., Health Officer at Rockhampton, and the
Police Magistrate at Beenleigh, Ingham, Geraldton, and Cairns ;
Ten Government Agents.

The Government Agents rank as follows :—

Permanent Staff.

At the beginning of the year there were on the roll, eight; appointed during the year, four; one died during the year, and one was appointed Assistant Inspector at Mackay; at 31st December 1893, 10 were on the roll.

6.—THE PACIFIC ISLANDERS' FUND.

A summary of the operation of this fund will be found on Appendix A. The net increase of the fund during the year has been 3,127*l.* 13*s.* 7*d.*, and arises as follows:—

	£	s.	d.	£	s.	d.
Balance on return passage account	3,407	0	0			
Deceased Islanders' estates	939	19	7			
Fines	10	15	0			
Sundries	73	7	10			
				4,431	2	5

Less—

Introduction fees fell short of the amount of general expenses by	-	-	703	8	10
Building and furnishing Pacific Island Ward at Bundaberg Hospital	-	-	600	0	0
					1,303 8 10

Net increase	-	-					3,127	13	7
--------------	---	---	--	--	--	--	-------	----	---

The ledger balances stand as follows :—

	Cr.				
Return passages	- -	-	29,468	10	6
Deceased Islander's estates	- -	-	30,681	6	3
Fines	- -	-	125	6	0
				60,275	2 9
	Dr.				
General purposes	- -	-	11,933	18	4
Hospitals	- -	-	21,540	15	10
				33,474	14 2
Balance, 31st December, 1893		-	-	26,800	8 7

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

SUMMARY of OPERATIONS of the PACIFIC ISLANDERS' FUND for the YEAR ending
31st DECEMBER 1893.

RECEIPTS.

	£	s.	d.	£	s.	d.	£	s.	d.
Balance at 31st December, 1892	-	-	-	-	-	-	23,672	15	0
Return passages	-	5,425	0 0						
Less refunds	-	2,018	0 0						
				3,407	0	0			
Deceased Islanders' estates	-	1,131	3 0						
Less payments	-	191	3 5						
				939	19	7			

	£	s.	d.	£	s.	d.	£	s.	d.
Capitation Money - - - - -	6,444	0	0						
Less Refunds - - - - -	1,974	0	0						
				4,470	0	0			
Hospitals - - - - -	69	1	0						
Less Payments - - - - -	6	9	6						
				62	11	6			
Fires - - - - -				10	15	0			
Dépôt Accounts - - - - -				10	16	4			
							8,901	2	5
							£32,573	17	5

EXPENDITURE.

	£	s.	d.	£	s.	d.
Salaries—						
Head Office and Inspectors - - - - -	1,905	6	8			
Government Agents - - - - -	2,393	17	4			
				4,299	4	0
Contingencies—						
Inspectors' expenses, forage, &c. - - - - -	352	15	10			
Government Agents' expenses - - - - -	55	4	3			
Care of destitute Islanders - - - - -	112	12	3			
Clerical assistance - - - - -	190	0	0			
Postage - - - - -	63	19	10			
Court cases and inquiries - - - - -	17	15	0			
Compensation, D. Rannie, for loss of effects in wreck of "Foam" - - - - -	10	0	0			
Unforeseen (Government Agent's salary) - - - - -	11	12	4			
Miscellaneous - - - - -	60	5	4			
Building (515 <i>l.</i>) and furniture (85 <i>l.</i>) Pacific Island Ward at Bundaberg Hospital - - - - -	600	0	0			
				1,474	4	10
				5,773	8	10
Balance at 31st December, 1893 - - - - -				26,800	8	7
				£32,573	17	5

APPENDIX B.

SUMMARY OF SAVINGS BANK OPERATIONS OF PACIFIC ISLANDERS for the YEAR 1893.

	Brisbane.	Beenleigh.	Mary-borough.	Bundaberg	Rock-hampton.	Mackay.	Townsville.	Ingham.	Geraldton.	Cairns.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance at 31st December 1892.	*179	*115	*130	*659	*44	*1,023	*145	*199	*183	*10	*2,685
Received from Islanders and lodged in bank during the year.	3,309 19 3	1,297 9 3	1,023 2 2	3,657 13 8	849 8 6	5,985 6 9	623 2 6	1,096 2 8	759 5 2	58 9 6	18,641 19 5
Withdrawn from bank and paid to Islanders during the year.	568 17 11	393 16 8	232 10 9	1,356 12 6	394 8 7	2,534 17 11	205 1 1	925 16 1	172 11 5	225 4 8	7,064 17 7
Difference - - -	†700 11 8	388 0 4	†319 16 1	†2,091 4 11	150 8 1	†4,937 17 11	†471 8 9	†1,025 11 1	†696 4 3	106 1 9	10,887 4 4
	131 13 9	10 16 4	37 5 4	734 12 5	244 0 6	2,403 0 0	266 7 8	99 15 0	523 12 10	119 3 5	3,822 6 9
	*179	*110	*98	*546	*62	*437	*51	*170	*30	*43	*1,726
Balance at 31st December 1893.	3,178 5 6	1,290 5 7	985 16 10	2,923 1 3	1,063 9 0	3,582 6 9	356 14 10	996 7 8	235 12 4	177 12 11	14,819 12 8

* These figures indicate the number of current accounts.

† In these cases the withdrawals exceeded the deposits.

No. 60.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 10, 1894.)

Government House, Brisbane,
July 30, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 3rd March last*, in which I forwarded, for your information, copies of certain documents respecting the labour vessel "Fearless," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 60.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
July 17, 1894.

SIR,

THE return of the labour ship "Fearless" to Cairns on the 16th ultimo affords me the honour of reporting upon her recent and 16th voyage under the Pacific Island Labour Acts.

The ship was certified to have sufficient accommodation for 79 Islanders, and licenses were granted to enable the master to recruit that number for Hambledon plantation in the Cairns district.

G. McArthur was the master, and Mr. J. C. O'Brien, the Government agent.

The ship left Cairns on the 7th February last, having 40 returning Islanders on board, and arrived at Tanna on the 23rd February.

All the returning Islanders were landed at their proper villages or passages, with the exception of four, who were landed elsewhere at their own request. See Appendix A.

Recruiting commenced at Tanna on the 24th of February and was prosecuted throughout the New Hebrides, Banks, and Torres groups, finishing at Lo on the 5th of June, having occupied 102 days, during which period 63 recruits were obtained, 60 males and 3 females. Two of the recruits subsequently deserted, and two others were released from their engagements. Appendices B. and C.

On the 6th of June the ship took her departure from Tegua carrying 59 recruits (and one female child), who were brought from the following groups:—

New Hebrides	-	-	-	-	50
Banks	-	-	-	-	5
Torres	-	-	-	-	4

Total - - - - 59 including

22 previously employed in Queensland.

1	"	"	Samoa.
1	"	"	Vila Harbour.
4	"	"	Noumea.

The Health Officer passed all the Islanders.

With regard to Regulation 46, no money was forwarded by the "Fearless" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Government Agent reports that he has no complaints to make.

I enclose herewith tracing* of the course of the "Fearless," showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of four cases where ISLANDERS were landed elsewhere than at their proper Villages during the voyage of the Labour Ship "FEARLESS."

Name.	Proper Village.	Island.	Extracts.
S.M. Bob - - 6. "Noolouyou."	Lux Bay - Googan Bay -	Erromango - " -	1894. 3rd March.—These returns, Nos. 5 and 6, requested to be landed at Batnaravin, Cook's Bay, friends met them. In further explanation of the landing of returns mentioned, I beg to state that when the boats got to Batnaravin Nos. 5 and 6 met their friends amongst the tribe there assembled, and decided to land at that place instead of at the passages named in the outward list which were a little way (about a mile) farther on. The place is close to a missionary station and I was perfectly satisfied that the boys were safely landed.
M. 34. Kamoov -	Berasia - -	Api - -	Api, 19th March.—The following return "Kamoov" was landed during the morning at his own special request at a passage about two miles north of the Foreland anchorage, he having found his relatives there. The passage at which this boy was landed, and the name of which I regret I omitted to ascertain, was close to the one named in the outward list, and, as I was quite satisfied that the boy was amongst his own people, I did not think that further note of the matter was necessary.
M. 22. Bhy - -	Longotol -	Ambrym -	March 30th.—"Bhy" was landed, at his express wish, at a passage pointed out by him, named Wakun, the name in my list being Longotol, which latter place, as far as I could gather, is inland. Having had occasion later on in the day to go and interview Dr. Lamb, the missionary about a mile distant, that gentleman told me that he had heard that but for the fact of two friends of the "Return" having by chance appeared on the scene after the boy was landed, he (the boy) would have been shot dead, the tribes in this vicinity being at war.

APPENDIX B.

EXTRACTS from the GOVERNMENT AGENT'S LOG relating to two DESERTERS.

Mallicolo, 13th April 1894.—Nos. 19, "La Massing," and 22 "Masally," recruits (both belonging to Bai Yap, Ambrym), having been allowed to go ashore with the firewood party, disappeared in the bush and have not since been seen. I myself did not accompany the boats during the day, as there was no trading in obtaining the firewood or otherwise, and no recruiting intended here.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT'S LOG relating to two RECRUITS who were released from their Engagements.

Ambrym, 30th March 1894.—The following boys were recruited during the morning. Nos. 32 "Boulay," and 33 "Massingtoo," at Dr. Lamb's missionary station. Dr. Lamb informed me that these young fellows left solely through family quarrels, and, in his opinion, from something he had heard, regretted their action. I asked him to come on board with me, also taking the fathers of the boys. Dr. Lamb and myself then got each

an interpreter on board to question the boys as to their wishes, and, they having said they wanted to go ashore again, I explained the case to the master of the ship, and returned the boys at the missionary station.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
1894.					
A. 1	23 Feb.	Sangalie, Tanna	—	8	14
2	24 "	Near Sangalie, Tanna	1	—	15
3	27 "	Near Black Beach, Tanna	5	—	16
4	28 "	Batloosin, near Weasisi, Tanna	—	2	17
5	1 March	Le-num-tahe "	3	—	18
6	3 "	Batnaravin, Cook's Bay, Eromanga	—	3	19
7	8 "	Malaqua, Moona (Nguna)	—	3	21
8	14 "	Saukau Anchorage, Api	2	—	23
9	19 "	Near Foreland, Api	—	1	25
10	21 "	"Hole in Wall" Anchorage, Paama	1	—	26
B. 1	22 "	" " " "	2	—	27
2	23 "	Big Bay, Api	1	—	28
3	26 "	Sai, Ambrym, S.W.	2	—	30
4	27 "	Hoongur, Ambrym, S.W.	1	—	31
5	28 "	Bai-yap, Ambrym, W.	3	—	32
6	29 "	" " " "	10	—	34
7	30 "	Wa-kun, Dip Point, Ambrym	—	1	35
8	31 "	Ba-if " "	1	—	37
9	1 April	Hangal, N. " "	—	2	38
10	2 "	Mellou " "	—	4	39
C. 1	2 "	Wayhal " "	1	—	39
2	5 "	Baravil, Pentecost	1	2	41
3	6 "	Melsisi and Batanatany, Pentecost	—	2 and child	42
4	7 "	Melsisi and Wara Ce Ce, "	2	1	43
5	9 "	Batanatany	1	—	44
6	17 "	South West Bay, Mallicolo	—	1	48
7	21 "	Town's Anchorage, Malo	1	—	50
8	23 "	" " " "	2	—	51
9	28 "	Vow Island, Mallicolo	2	—	53
10	11 May	Aoba, North side	7	—	58
D. 1	12 "	" " " "	2	—	58
2	14 "	" " " "	1	—	59
3	19 "	Matawerit, Lacona	—	1	63
4	19 "	Breso, Vanua Lava	—	4	63
5	19 "	" " " "	1	—	63
6	20 "	Minegar, "	—	3	64
7	22 "	Losalava, Lacona	3	—	66
8	31 "	Pack, Vanua Lava	—	1	71
9	1 June	Layha, Ureparapara	1	—	72
10	2 "	Wyatt, "	—	1	73
E. 1	5 "	A won chara, N.W. Buka Buka	4	—	75
Total			61*	40	
*Less two deserters			59		

No. 61.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 10, 1894.)

Government House, Brisbane, Queensland,
July 31, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 29th August 1893,* and with reference to your Lordship's Despatch of the 16th June 1893,† I enclose, for your information, copy of a letter which I have received from Sir Samuel Griffith, late Chief Secretary, through the present Chief Secretary, dated 3rd instant, forwarding copy of a communication received by Sir Samuel Griffith from the Rev. W. Watt, Clerk of the New Hebrides Mission Synod, relative to certain matters which were dealt with when Sir Samuel Griffith was Chief Secretary, and also a copy of the reply of the latter gentleman.

I have forwarded a copy of this correspondence to the High Commissioner of the Western Pacific.

I have, &c.

H. W. NORMAN.

Enclosure in No. 61.

Chief Justice's Chambers, Brisbane,

July 3, 1894.

SIR,

I HAVE the honour to forward herewith, for the information of the Government, a communication which I have received from the Rev. W. Watt, Clerk of the New Hebrides Mission Synod, referring to certain matters which came before me when holding the office of Chief Secretary, together with a copy of my reply to Mr. Watt's communication.

As the substance of the Synod's minute forwarded by Mr. Watt has been transmitted by cable to the London Press, and has, I believe, been otherwise made public, I have thought it right that the Government should be in possession of the whole of the correspondence on the subject.

I have, &c.

The Hon. the Chief Secretary, Brisbane.

S. W. GRIFFITH.

Port Resolution, Tanna, New Hebrides,

May 10, 1894.

DEAR SIR,

ENCLOSED please find a copy of minute of the New Hebrides Mission Synod re "charge of trading in illegal articles" made against certain of our missionaries by a Queensland Government Agent, which Synod instructs me to forward to you.

I have, &c.

Sir S. W. Griffith.

W. WATT,

Clerk of Synod.

Aneityum, New Hebrides, May 2, 1894.

Which time and place the New Hebrides Mission Synod convened and was duly constituted, *inter alia* :—

50. The clerk reported that an article entitled "A serious charge" having appeared in the "Sydney Presbyterian," he had officially placed himself in communication with Sir S. W. Griffith, Sir J. B. Thurston, and Messrs. Milne, Michelsen, Fraser, and Smaill. The correspondence, including a letter from Sir Thomas McIlwraith, was read, but although a copy of the 'Blue Book' in which the said 'serious charge' also appeared had been forwarded to the clerk it had not come to hand. Synod sustained the action of the clerk.

51. The Synod having entered on the consideration of the 'serious charge,' it was found that Mr. Milne, who was absent, denied in the following terms the charges laid against him :—

"And I have to say that I am innocent of the things therein attributed to me, yet it is possible that Mr. Rannie, in reporting as he did, may have been reporting only what he saw and heard, as will appear when the following facts are taken into consideration, viz., that there are two traders on Emal, Mr. A. Holmes, an Englishman; and Mr. C. Andersen, a Norwegian; both of whom . . . * sell powder, shot, and percussion caps to the Natives; and one of them, . . . * the Norwegian, sells also firearms; that the latter lives in a hut besides the people of Sesake's boathouse, and that, at the time referred to, for want of better accommodation he kept some of his things in their boathouse. That boathouse must be the one referred to in the report, as neither of the two traders had then, nor have yet, any boathouse of their own. My boathouse is at the other side of the island, the south-east side where no ships ever anchor, and where no boats in the labour traffic ever come ashore. If any of the goods had my name attached to them, the owner or owners of them must have put my name upon them to screen themselves. Though there is no accounting for what some Natives will

* The blanks represent defamatory words immaterial to the points at issue.

sometimes say, I can scarcely think it possible that any Native would have said that the missionary exchanges ammunition for arrowroot. The probability, nay, the almost certainty, is that, if such a saying had been told to the Government Agent at all, it had been told to him not by the Natives, but by some ill-disposed white man. Those who could put a fictitious name on cases of grog and bags and boxes of ammunition could, surely, also originate such a saying about the exchange by the missionary of the ammunition for arrowroot. So far from my buying arrowroot with ammunition, I never bought any arrowroot from the Natives anywhere. I am also a teetotaller and have been trying hard for many years to get all the people in my district to be teetotallers."

Messrs. Michelsen, Fraser, and Smail, the only missionaries labouring on Epi, being present, proved that the charges laid against an Epi missionary were utterly false.

The Synod is highly gratified by the attitude taken up on the subject by his Excellency the High Commissioner as expressed in the following extract of his letter to the clerk:—

"Mr. Rannie's Report is in some respects contradictory of the High Commissioner's own knowledge of matters in the New Hebrides; in some others, his statements are contradicted by persons in a position to know, and of whom his Excellency has made inquiry. This being so, and in view of the evident animus against the Presbyterian Mission, the High Commissioner has officially informed the Secretary of State that, in his opinion, Mr. Rannie's statements are not worthy of credence. This expression of the High Commissioner's opinion will doubtless be included in the next Blue Book published on Western Pacific affairs and presented to Imperial Parliament, and in the meantime you are at liberty to make any use of this communication you may think fit."

Synod agrees to express its astonishment that a gentleman in the position of a Chief Secretary of a Colony should give publicity to charges involving legal consequences before the steps necessary to establish their truthfulness had been taken. And that an avowedly Christian paper should, in these circumstances, publish statements derogatory to Christian work which inquiry shows to be utterly baseless."

Copies of this minute to be sent to Sir J. B. Thurston, Sir S. W. Griffith, A. K. Langridge, Esq., the Conveners of the various Foreign Mission Committees of the Churches interested in this Mission, and the Editor of the "Sydney Presbyterian."

52. In regard to missionaries unduly absenting themselves from their station, the Synod would point out that in the cases specially referred to the charge is untrue, as the missionaries mentioned were not all absent from their stations at the same time, nor for the periods stated; that those who were absent had the sanction of the Synod and their churches, the necessity of such absences being painfully established by the heavy mortality sustained by the mission during the past few years.

Extracted from the records of the New Hebrides Mission Synod by me.

W. WATT, Clerk.

Chief Justice's Chambers, Brisbane,
July 3, 1894.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of 10th May last enclosing a copy of a minute of the New Hebrides Mission Synod, adopted on the 2nd of May, in which the Synod agrees to express its astonishment "that a gentleman in the position of a Chief Secretary of a Colony should give publicity to charges involving legal consequences before the steps necessary to establish their truthfulness have been taken."

The action of the Synod in assuming the function of publicly censuring a Minister of State, who owed them no allegiance or special duty, and who at the time of the censure had, as the Synod was aware, long ceased to have any official connexion with the Government, and in formally communicating that censure to him, appears so unusual a departure from the ordinary amenities observed in the conduct of public affairs as to call for something more than a mere acknowledgment of your communication.

I had myself no distinct recollection of the incident referred to in the Synod's minute, but, through the courtesy of the present Chief Secretary, I have had an opportunity of referring to the papers on the subject in his Department, from which I find that, on the receipt of Mr. Rannie's report, I forwarded an extract containing the matter referring to the Rev. Mr. Milne of Emae or Mai to his Excellency the Governor of Queensland, for the information of the High Commissioner for the Western Pacific, and that I also

furnished the editor of the Sydney "Presbyterian" with similar information. I assume that the latter action is the subject of the Synod's minute.

My experience, extending over many years, in the administration of public departments, and my knowledge of the ordinary conduct of affairs in Australia and other civilised countries, do not suggest to me any reason why the whole of Mr. Rannie's report should not have been communicated to the Press generally. That gentleman bore a high reputation as an intelligent and trustworthy officer, and the matter referred to in the report was certainly of public interest. I understand, indeed, that the report has been included in papers which were during last year laid before the House of Commons by the Secretary of State for the Colonies, who would therefore seem to be equally open with myself to the animadversion of the Synod.

It appears, however, that, for some reason which I cannot now recall, the information relating to Mr. Milne was not communicated to the Press generally but only to the editor of the "Presbyterian."

The fact that a charge had been made was, of course, no secret, and I remember that I, in acceding to the editor's request for a copy of the report so far as it referred to the charge, felt confident that a journal which I understood to be the organ of the Presbyterian Church in New South Wales was not likely to make any use of the information which would prejudicially affect the interests of the mission.

I have not a copy of the paragraph which appeared in that paper, but I have no reason to suppose that my confidence was misplaced. I should have supposed that, so far from my conduct in this respect being considered worthy of censure, I should have earned the gratitude of the mission authorities for confining the information to persons known to be friendly to them.

I am glad to observe from Sir John Thurston's letter, quoted in the minute of the Synod, that his Excellency has satisfied himself that the charges inferred against the Rev. Mr. Milne in Mr. Rannie's report are not well founded.

I am not aware of the nature of the evidence on which he bases this conclusion. If, however, his Excellency by the expression that "in his opinion Mr. Rannie's statements are not worthy of credence," means to signify more than that the charges have been disproved or not substantiated, I take leave to observe that my official knowledge of that officer, up to the time of my leaving office, led me to the conclusion that any statements made by him in the discharge of his duty might be relied upon as truthfully representing the facts as they appeared to him. I do not know whether he has had opportunity of reporting upon Mr. Milne's statement, as quoted in the minute of the Synod, nor am I now in a position, or indeed concerned, to make any further inquiry on the subject.

While, therefore, I share in the satisfaction that all friends of the mission must feel in the result of the inquiry made by the High Commissioner, I am unable to accept any blame to myself for my action in connexion with the matter.

I have to request that you will be good enough to communicate this letter to the Synod.

I have, &c.

S. W. GRIFFITH.

Rev. W. Watt,
Clerk to the New Hebrides Mission Synod,
Port Resolution, New Hebrides.

No. 62.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 10, 1894.)

Government House, Brisbane,
August 2, 1894.

MY LORD MARQUESS,

In continuation of my Despatch of the 5th of May last,* in which I forwarded, for your information, copies of certain documents respecting the labour vessel "Roderick Dhu," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department, respecting her recent voyage.

I have, &c.

H. W. NORMAN.

* Not printed.

Enclosure in No. 62.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
July 18, 1894.

SIR,

THE return of the labour ship "Roderick Dhu" to Maryborough on the 7th instant, affords me the honour of reporting upon her recent and 24th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 127 Islanders, and licenses were granted to enable the master to recruit 104 for five plantations, one in the Bundaberg and four in the Maryborough districts.

G. Norman was the master, and F. Gooding the Government Agent.

The ship left Maryborough on the 21st April last, and anchored at White Cliffs on the same day, where she remained in quarantine until released on the 24th. On the following day the vessel left for the Islands, having 10 returning Islanders on board and arrived at Guadalcanar on the 5th of May.

All the returning Islanders were landed at their proper villages or passages, with the exception of one who was landed elsewhere at her own request. (*See Appendix A.*)

Recruiting commenced at Guadalcanar on the 7th of May, and was prosecuted in the Solomon group, only finishing at Guadalcanar on the 27th of June, having occupied 52 days, during which period 104 recruits were obtained, 103 males, and one female.

On the 28th of June the ship took her departure from Guadalcanar for Queensland carrying 104 Islanders who were brought from the Solomon group.

The health officer passed all the Islanders with the exception of *No. 23 "Mooley" who was rejected "as under-sized" and Nos. 7, and 8, "Tatass," and "Balea," who were sent to hospital for treatment for a short time suffering from slight sores on their legs.

With regard to Regulation 46, no money was forwarded by the "Roderick Dhu" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

I enclose herewith tracing of the course of the ship showing places where Islanders were landed and recruited.

The Government Agent reports that he has no complaints to make.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG of one case of an Islander who was landed elsewhere than at her proper Village during the voyage of the Labour Ship "Roderick Dhu."

Name.	Proper Village.	Island.	Extract.
M2. "Cocooloo"	Teano - - -	Guadalcanar -	1894. 7th May. Off Guadalcanar. Boats left at 9 am. to land one male, one female, and one male child. "Cocooloo" F. requested to be landed at Talue with one "Talooa," the man she had been living with since her husband died in Queensland.

* To be supplied with box and trade at expense of shippers and sent back.—(Signed) W. E. P. O.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
A. 1	7.5.94	Telaisi, Guadalcanar	13	2 & 1 child	9, 10
A. 2	11	Longo	10	—	11
A. 3	15	Wanderers Bay	4	—	13
A. 4	19	Cape Hunter	6	—	15
A. 5	21	Beaufort Bay	2	—	16
A. 6	23	Ovey	3	—	17
A. 7	24, 25, 26	Tambaniatta	8	4	17, 18
A. 8	26	Tearro	—	—	18
A. 9	28, 29, 30	Savalee	5	—	19, 20
A. 10	31	Tamberew	—	1	21
A. 11	1 to 6.6.94	Veisali or Coombo	11	—	21, 22, 23
B. 1	6 to 8	N.W. side Savo (Queela)	16	1	24, 25
B. 2	9	Coilah, Savo	—	—	25, 26
C. 1	13	N.E. Coast, Guadalcanar	—	—	27
C. 2	13	Lungo	—	—	28
C. 3	15	Tatara	8	2	28
C. 4	16	Lango	12	—	29, 30
D. 1	18, 19, 20, 21	Halavo, Florida	5	—	30, 31, 32
E. 1	22	N.W. side, Savo	—	—	32
F. 1	26	Wanders Bay, Guadalcanar	1	—	34
			104	10 & 1 child	—

No. 63.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 10, 1894.)

Government House, Brisbane,
August 2, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 12th April last,* in which I forwarded for your information copies of certain documents respecting the labour vessel "Helena," I have now the honour to transmit a copy of a report, which has been furnished by the Immigration Department, respecting her recent voyage.

2. I shall cause inquiry to be made as to the circumstances under which fire was exchanged between Islanders and the boats on the 7th of May, and on the 7th June and will report the result to your Lordship.

I have, &c.

H. W. NORMAN.

Enclosure in No. 63.

Department of Immigration,
Pacific Island Labour Branch, Brisbane.
July 23, 1894.

SIR,

THE return of the labour ship "Helena" to Bundaberg on the 7th instant, affords me the honour of reporting upon her recent and the 27th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 90 Islanders, and licenses were granted to enable the master to recruit that number for nine plantations in the Bundaberg district.

* Not printed.

W. R. Reynolds was the master, and Mr. A. H. N. Ussher the Government Agent.

The ship after being detained in quarantine 14 days, left the Burnett Heads on the 3rd of April last, having 72 returning Islanders on board, and arrived at Tanna on the 30th of the same month.

All the returning Islanders were landed at their proper villages or passages.

Recruiting commenced at Tanna on the 1st of May, and was prosecuted throughout the New Hebrides and Torres groups, finishing at South Torres Island on the 27th of June, having occupied 58 days, during which period 86 recruits were obtained, 77 males, and 9 females.

On the 11th of June returning Islander, No. 98, Bg. "Nabeera," died of consumption.

On the 28th of June the ship took her departure from Middle Island for Queensland, carrying 86 recruits (and one female child) who were brought from the following groups:—

New Hebrides	-	-	-	-	81
Torres	-	-	-	-	5
Total					- 86 including

19 previously employed in Queensland.

1	"	"	Noumea.
1	"	"	Samoa.
1	"	"	Fiji.
1	"	"	Lacona.
2	"	"	Aneiteum.

*The health officer passed all the Islanders with the exception of Nos. 25 and 39, who are receiving treatment in hospital; No. 21 awaiting further examination, and No. 4 rejected as "too feeble."

With regard to Regulation 46, no money was forwarded by the "Helena" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

On the 7th of May at Tanna, and on the 7th of June at Mallicolo, the boats were fired on, in each case the fire was returned without effect.

The Government Agent reports that the ship touched on a coral reef at Muna on May the 12th, but he does not think she did any harm to herself as her way was stopped, in fact the anchor had been let go a minute before. Mr. Ussher also reports that the Government Agent's boat requires to be well overhauled and strengthening pieces put in the bottom of her, and he thinks the mainmast wants examining.

Mr. Ussher has no complaints to make about anyone or anything.

I enclose herewith tracing of the course of the "Helena," showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.
J. O'N. BRENAN,
Immigration Agent.

* Report result of further examination. Note Minister's approval of recommendation that all "boys" brought to Queensland and rejected, shall when sent back be supplied with boxes and trade at expense of ships.—W. E. P. O.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
A.	1.5.94	Tanna	1	—	9
A. 1	3.5.94	"	1	—	9
A. 2	4.5.94	"	4	—	10
A. 3	7.5.94	"	7	—	11
A. 4	8.5.94	"	—	2	11
A. 5	11.5.94	Mau	—	2	12
A. 6	12, 13, & 14.5.94	Muna and Havannah Harbour	3	4	13 & 14
A. 7	15.5.94	Makura	1	—	14
A. 8	"	Mai	—	9	14
A. 9	16, 17, & 18.5.94	Tongoa	19	2	15 & 16
A. ⁰⁰⁰⁰⁰⁰⁰⁰ ⁰⁰⁰⁰⁰⁰⁰⁰	19.5.94	Api	—	30	16 & 17
B.	23.5.94	"	2	—	18
B. 1	24 & 25.5.94.	"	12	—	19
B. 2	26.5.94	"	7	—	20
B. 3	{ 31.5.94 and 1, 2.6.94 }	"	8	—	21 & 22
B. 4	2.6.94	Paama	—	1	22
B. 5	"	Ambrym	—	5	23
B. 6	3 & 4.6.94	"	1	2	23 & 24
B. 7	5.6.94	Mallicolo	—	2	2
B. 8	6.6.94	"	1	—	
B. 9	7.6.94	"	2	3	
B. 0	9.6.94	"	3	—	
C.	11.6.94	"	—	1	
C. 1	12.6.94	Aoba	—	6	
C. 2	13.6.94	"	—	1	
C. 3	15.6.94	Pentecost	—	1	
C. 4	18.6.94	"	2	—	
C. 5	{ 20.6.94 and 22.6.94 }	"	6	—	30 & 31
C. 6	22.6.94	Maewo	1	—	31
C. 7	27.6.24	Buka Buka (Torres Group)	5	—	32

No. 64.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 10, 1894.)

Government House, Brisbane,
August 2, 1894.

Mr LORD MARQUESS,

IN my Despatch of the 25th January last,* I reported to your Lordship the departure of the labour vessel "Ariel" from Bundaberg for the New Hebrides and Solomon Islands, and I now regret to have to inform you that the vessel was wrecked at Santa Catalenia on the 9th April last, but without loss of life.

2, I enclose copy of the report of the occurrence and of the disposal of the Islanders then on board, including a deaf and dumb boy who had been brought on board.

3. The Chief Secretary informs me that it has been decided that the boy in question will be returned to his island at the expense of the ship, and the Immigration Agent has been instructed to see that he is provided with a box of "trade"; and it has further been directed that in future all recruits who are rejected after being brought to Queensland shall be similarly provided, in order to prevent any risk to which they might be liable through landing empty-handed.

I have, &c.

H. W. NORMAN.

Enclosures in No. 64.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
July 2, 1894.

SIR,

THE return of Mr. S. M. Smith to Bundaberg on the 14th ultimo affords me the honour of reporting on the circumstances in connexion with the recent and 21st voyage of the labour vessel "Ariel" under the Pacific Island Labour Acts.

* Not printed.

S

The ship was certified to have had sufficient accommodation for 88 islanders, and licenses were granted to enable the master to recruit that number for six plantations in the Bundaberg district.

Wm. Connell was the master, and Mr. S. M. Smith the Government agent.

The ship left Bundaberg on the 15th of January last, having 81 returning islanders on board, and arrived at Saa, Malayta, on the 6th of February.

On the 9th of April the "Ariel" was wrecked at Santa Catalenia in the Solomon group having on board (No. 25 Ing Seemoooco) at the time, one return islander for San Christoval, and 10 for the New Hebrides; the former was landed as described in Appendix A., the latter were brought back to Queensland to be returned to their homes by the first ship available; seven of these however changed their mind and elected to remain in the Colony.

Previous to the wreck, with the exceptions above mentioned, all the returning islanders were landed at their proper villages or passages excepting eight who were landed elsewhere at their own request. *See Appendix A.*

Recruiting commenced at Oonlava on the 21st February, and was prosecuted throughout the Solomon group finishing at Supenia, Malayta, on the 2nd April, having occupied 41 days during which period 53 recruits were obtained, 51 males and 2 females, all of whom were recruited at the Solomon group, and including

5	previously employed in Queensland.
2	" " Fiji.
6	" " Samoa.

Two recruits deserted from the vessel, and the wife of one of these deserters was released from her agreement and put ashore. *See Appendix B.*

On the 1st February returning islander No. 63, Ing "Seatah" of Malayta, died from consumption.

With regard to Regulation 46, no money was forwarded by the "Ariel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

As previously stated and fully described in Appendix "C" annexed hereto, the vessel became a complete wreck on the 9th of April, rendering it necessary to provide means for carrying the islanders to Queensland.

On the 12th of May an agreement, *see Appendix "D"* was entered into between Captain Connell late of the "Ariel" and Captain J. E. Hawkins of the schooner "Thistle" for this purpose; the "Thistle" had however to proceed to Florida to deliver live stock and stores, and it was not until the 1st ultimo, that she returned and the islanders were put on board, when the vessel took her departure from Santa Anna for Queensland having 50 recruits, 49 males and one female.

The health officer passed all the islanders with the exception of No. 9 "Tarbungo," who is certified to be too frail for work. No. 11 "Myetty" suffering from suppurating gland sent to hospital for treatment, and No. 16 "Lo-ser-ree" who is dumb but otherwise fit for work.

*A separate communication with reference to the deaf and dumb boy will follow this report.

I enclose herewith tracing of the course of the "Ariel" showing places where islanders were landed and recruited.

In conclusion I beg to draw your attention to the apparently admirable behaviour of all on board the "Ariel," at the time of the wreck on the 9th of April. Although the ship struck at 1 a.m. and bumped heavily until daylight, there appears to have been no panic whatever: such discipline under the circumstances I submit proves excellent management on the part of the Government Agent, Mr. Smith, and Captain Connell, and his officers.

The prompt manner by which the people were afterwards safely got ashore, and their comfort during the whole time they had to remain there, I think is deserving of very high compliment.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Immigration Agent.

* Why was he brought? There are no particulars anent him. Report required.—W. E. P. O.

APPENDIX "A."

EXTRACTS from the GOVERNMENT AGENT'S LOG of eight cases where Islanders were landed at other passages than those mentioned in the passenger list, at their own request.

Name.	Proper Village.	Island.	Extract.
Ing 42. "Zoolalboo"	Qui	Malayta	1894. 17th February. Anchored at Fokencaroo. "Zoolalbo" said he belonged to Fokencaroo and recruited from there.
Ing 3. "Laugie"	Uru	"	18th February. "Laugie" claimed to belong to Qui, and recruited from there.
Ing 44. "Gualua"	Qui	"	"Gualua" claimed to belong to Qui, but recruited from Fokencaroo.
+qG. "Boo eye"	Quarril	"	23rd February. Landed at their various passages and islands around Ureissei, the following islanders:—I 6 "Warsala," 7 "Malafoona," G 12 "Kilonga" F. with one female child, 13 Kina, 14 Kirsooroo, I 54 Boytah, 55 "Mownia" F. with one male child, 71 "Rungoh," and +G.q. "Boo-eye" who belongs to this place although he recruited at Quarril on the other side.
I. 20. Moulcar	Urassie	"	27th February. Landed at their passages returns I 41 "Irambore," and 20 "Moulcar," who informed me he both belonged to this passage (Seeoh) and recruited from it, and not on Urasine as on passenger list.
60. Aytolah	Port Mary	"	13th March, at 1 p.m., landed return I. 60 "Aytolah," who claimed this as his passage, having run away from a ship at Port Mary, Santa Anna, and was "recruited from there by the "Sybil."
70. Owwee, F.	Foonaroo	"	1st April, at 6.30 a.m. Pulled in and landed at their passages "Supene" returns I. 19 Hooneyway, and F. 72 Harmus, also return I. 70 Owwee, 70 wife of Harmus, who was on the passenger list for Foonaroo, but wished to land here with her husband.
25. Seemoccoo	—	S. Christoval	14th April. Allowed return I. 25 Seemoccoo to leave here as some of his relations are on the island, and will take him up to his own passage in a canoe.

APPENDIX "B."

EXTRACT from the GOVERNMENT AGENT'S LOG of cases of Desertion of Recruits.

27th February 1894, at anchor in Sush Harbour, at 5 a.m. Found that recruit No. 2, "Sue-o-mear," had deserted ship during the night. At 5.30 hove anchor up and cleared out to sea, landing at her passage recruit No. 3, "Angusfoonoo" (wife of No. 2), whom I released from agreement. 7th March, at anchor in Batama Bay. At daylight this morning we found that recruit No. 10, "Otterwoon," had deserted ship, and from his behaviour, we think he must have joined the ship with the intention of clearing out at first opportunity.

APPENDIX "C."

EXTRACT from the GOVERNMENT AGENTS "LOG" relating to the wreck of the "Ariel" at Santa Catalina Island off San Christoval.

9th April at about 1 a.m. the ship took the ground on the fringe reef on the east side of Santa Catalina Island, bumping heavily till daylight, and, as the tide was making and the wind increasing, got nearer the shore; at 6 a.m. went ashore in the

boat and got a line from the ship to a tree ashore, and by this means got all passengers and crew safely ashore, and as the tide fell we were able to get off food and luggage also, and we managed to get the use of some native huts near the ship. The captain in the meantime visited Santa Anna island and interviewed the copra trader there as to means of getting away from the island. At night everybody ashore and under cover; at 8 p.m. I served out rum and quinine to all crew and the islanders alike as medicine.

10th April raining and blowing from the N.W. all night, every appearance of bad weather, towards noon got a few odds and ends from the ship, and during the afternoon I went aboard with O'Connell, O.S., and discharged one case of gin, one case of beer, and sundry odd bottles of spirits, to prevent them getting into the hands of any of the crew or Natives, also got some medicine ashore. Too much sea on yet to shift over to Santa Anna as intended, islanders all well, Natives very friendly, one revolver out of fore-castle, and the mate's night glass out of companion.

14th April got over four boat loads of provisions and luggage, to Santa Anna at noon, at noon the Captain sold the wreck as she is (rudder and sternpost gone and broken-backed) for the sum of 10*l.* to Charley Olsen, copra man from Santa Anna.

17th April, busy all day, before 8 a.m. got two boat loads across and all the Florida recruits and Mallicolo returns, and one 200-gallon tank, after breakfast got over remainder of stores, returns and recruits and yam pots and other cooking gear, and by 2 p.m. had finished boating and hauled the boats ashore, built two more huts and had everybody under cover by 5 p.m.

All in good health except a few who were suffering from bad colds.

APPENDIX "D."

COPY of AGREEMENT made between Captain CONNELL late of "Ariel" and Captain HAWKINS of the Schooner "Thistle."

At Sea, Off Santa Anna, Solomon Islands,
May 12, 1894.

An agreement made this day between Captain William Connell, late master of the labour vessel "Ariel" lately wrecked at the island of Sta. Catalina, and Joseph E. Hawkins, master of the trading schooner "Thistle."

It is agreed by J. E. Hawkins that he shall charter his schooner (the "Thistle") to Captain W. Connell to convey islanders and crew to the number of 77 or thereabouts to the port of Bundaberg, Queensland, for the sum of three hundred and fifty sterling (350*l.*). The said W. Connell allows the said J. E. Hawkins the privilege of flooring-off a portion of the hold with produce to make a floor for the native boys to sleep on. No detention except the ordinary delay of getting the people passed by the medical officer on arrival, any stores belonging to the said Captain W. Connell to be landed on the wharf at Bundaberg, the said W. Connell paying duty if any. The charter money to be paid on arrival in sterling money. Captain W. Connell agrees to allow Captain Hawkins to proceed to Gavatu station to land his stock and trade, and Captain Hawkins agrees to be no longer than it is possible.

J. E. HAWKINS,
Master "Thistle."
W. A. CONNELL,
Late Master "Ariel."

Witness,

JAMES MCGREGOR,
Mate "Thistle."
THOMAS GASH,
Boatswain late "Ariel."

"ARIEL" VOYAGE 21.

SIR,

Bundaberg, June 25, 1894.

REPLYING yours of the 22nd *re* No. 16 Loserree *ex* "Thistle."

You desire to have my official opinion as to the advisability or otherwise of his employment here. The man is a very intelligent fellow, and Mr. Samuel Johnston, who is kindly looking after him, tells me that he is quite keen upon doing all that his

mates do, all things, however, considered, I think it would be ill advised to allow him to be employed.

I have, &c.

H. ST. GEO. CAULFEILD,
I. P. I.

B/C Principal Under Secretary,

THIS is the deaf and dumb recruit by the "Ariel." I do not quite see, in the present day, any danger, but Mr. Caulfeild appears disinclined to have him passed as a labourer.

J. O'N. BRENAN,
Officer-in-Charge.

June 27, 1894.

To the Immigration Agent,
Brisbane.

Send this with report of ship.

J. O'N. BRENAN.

June 27, 1894.

Immigration Office, Brisbane,

July 11, 1894.

SIR,

THE dumb islander "Lo-ser-ree" recruited by the "Ariel" in her last voyage was not known to be dumb at time of recruiting or I should not have allowed him to remain aboard, but it was after leaving his island that it was found out, for he nodded his head and acted so well when the interpreter questioned him for me that I was quite deceived, the more so that he had just completed a term of three years in Samoa.

After finding out about his dumbness, I agreed with the captain to take him on to Queensland as he was unusually active and intelligent, and the captain willing to chance his passing on arrival, and I had already landed at the same islands one dumb man who had worked for three years in Queensland.

I have, &c.

The Immigration Agent,
Brisbane.

S. M. SMITH,
Government Agent.

"ARIEL," VOYAGE 21, at SOLOMON ISLANDS.

Reference Letter and Number.	Date.	Place of Call.	Number Recruited.	Number Landed.	Page in Log.
	1894.				
A. 1	Feb. 6th	Saa Malayta	—	1	13
A. 2	" 7th	Marbo "	—	12	13
A. 3	" 17th	Fokencatoo "	—	3	18
A. 4	" 18th, 19th	Qui "	—	23	19
A. 5	" 19th	Utu "	—	1	19
A. 6	" 21st	Oonlava "	1	—	20
A. 7	Feb. 20th, 23rd, & 27th	Ourassie "	5	13	20, 23
A. 8	Feb. 27th, March 1st	Seeoh Harbour "	1	6	23, 24
A. 9	March 1st, 2nd	Mallu "	7	—	24, 25
A. 10	" 5th, 7th	Batama Bay "	6	—	26, 27
B. 1	" 9th, 10th	Gamo "	2	1	28, 29
B. 2	" 13th	Bonar and Antilevar "	1	1	30
B. 3	" 13th	Feu "	—	1	30
B. 4	" 14th	Auki and Arata "	1	1	31
B. 5	" 15th, 20th	Langa Ianga "	18	1	31, 34
B. 6	" 20th	Kiva "	—	1	34
B. 7	" 22nd, 23rd	Salsapa, Florida -	5	—	35
B. 8	" 27th	Colarcambore " -	1	—	37
B. 9	" 28th	Pura " -	3	—	38
B. 10	April 1st, 2nd	Supenia, Malayta -	2	3	40
C. 1	" 4th	Fanarise, San Christoval	—	1	41
C. 2	" 14th	Santa Catalina Island "	—	1	46

No. 65.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received September 24, 1894.)

Government House, Brisbane,
August 14, 1894.

MY LORD MARQUESS,

WITH reference to my Despatch of the 2nd instant,* I now do myself the honour to enclose copy of a letter from the Government Agent on board the labour vessel "Helena," in reply to my inquiry as to the circumstances under which fire was exchanged between islanders and the boats of that ship on the 7th May and 7th June last.

I have, &c.
H. W. NORMAN.

Enclosure in No. 65.

SIR,

10th August.

IN referring to your B/C of the 9th instant, I have the honour to report that, on each occasion, the ship was some miles off the shore, and that the captain knew nothing of the firing until we returned aboard.

The only reason that I can ascribe for their firing at us in Tanna is that at the passage where the shooting took place we had engaged nine (9) recruits, a chief being among the number, and they did not wish him to go; the boats were about 100 yards off the beach when they commenced.

I can afford no reason for the firing which took place at Mallicolo on the 7th of June, as we had only obtained one (1) recruit, and were just leaving; in fact the ship was under way at the time, and the boats went ashore to get a recruit who had promised to come the previous evening.

There was no cause for the shooting in either case.

I have, &c.

To the Immigration Agent,
Brisbane.

ARTHUR H. NEVILLE USSHER,
Government Agent.

No. 66.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 10, 1894.)

Government House, Brisbane,
August 30, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 18th May 1894,† paragraph 4, relative to a report made to the High Commissioner of the Western Pacific by the Rev. F. J. Paton of illegal recruiting by the labour vessel "Lochiel" at Malekula, I have now the honour to enclose further correspondence on the subject.

2. I beg to inform you that I have sent a copy of this correspondence to the High Commissioner, and have told his Excellency that I agree with the Chief Secretary that it is not necessary to take any further action in the matter so far as relates to the action of Captain Pearn.

I have, &c.
H. W. NORMAN.

Enclosure in No. 66.

Chief Secretary's Office, Brisbane,
August 29, 1894.

SIR,

IN further reference to the letter from the High Commissioner of the Western Pacific, dated the 28th of September 1893, enclosing an extract from a letter addressed to

* No. 63.

† No. 51.

him by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malikula on the Queensland schooner "Lochiel." I have now the honour to forward, for your Excellency's information, copies of further letters upon the subject, which have been received from the Immigration Department, with copies of their enclosures.

As the papers in this case do not furnish any evidence that Captain Pearn was made aware of the circumstances which would otherwise have thrown a doubt upon the legality of the transaction in question, I have the honour to advise that the High Commissioner be informed that the Government, after full inquiry, do not consider it necessary to take any further action in the matter so far as relates to Captain Pearn. The reasons which prevent them from dealing with those who were really guilty of the irregularity referred to were given in my letter to your Excellency dated 26th April 1894.

I have, &c.

His Excellency,
Sir Henry W. Norman, G.C.B.
&c. &c. &c.
Governor.

HUGH M. NELSON.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
August 13, 1894.

SIR,

IN accordance with the Premier's minute on the accompanying papers, I have now the honour to forward you statement made by Captain Pearn relating to the recruiting of Roogumboar, or Rerib Nabur, and female named Resin Vannie, or Rieverin Bue.

From this it appears that Captain Pearn was not made aware of what took place on the beach, as to the relations between the man and woman, and as the only other evidence obtainable, viz., that of the male recruit, and the recruiter Burns, does not show that the Captain was informed of it, I think it fair to conclude that he may be considered innocent of a breach of Regulation No. 32 of Pacific Island Labourers Acts of 1880-1892.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Officer-in-Charge.

Further Evidence with reference to a Complaint by the Rev. F. J. Paton, dated the 8th August, A.D. 1893.

STATEMENT by ROBERT PEARN, Master of "Lochiel."

Robert Pearn states:—

"I am master of the 'Lochiel' labour vessel now in port, and have occupied the same position for seven years.

"I remember the 27th May 1893, we were at Pangkuma on that date, leaving it in the morning. The boats left to land return islanders along the coast north of Pangkuma, and the ship kept under weigh with them.

"About mid-day, I wanted to get away to anchor before dark, so ran up the flag for the boats to come back to the ship, they left the beach and came towards the ship, but when about 100 yards on the way turned back and returned to the beach. They remained there about ten minutes, and then came direct to the ship, when I saw they had obtained two recruits, a man and a woman. I said to the Government agent 'I see you have got two,' he said 'Yes, a man and his wife.' I did not ask him any further questions, as I did not consider it my business to do so. I never heard, until you told me so, that the man had admitted the woman was not his wife, and that Mr. Hammond allowed her to come because she cried. Nothing was ever said, to my knowledge, as to how this man Roogumboar and the woman were recruited, by any one on board the 'Lochiel,' and the first I heard of it was from yourself. There were a lot of Natives on the beach when the two islanders mentioned were recruited."

ROBERT PEARN.

Taken and signed before me at the Immigration Office, Brisbane, this 13th day of August, A.D. 1894.

J. O'N. BRENNAN,
Immigration Agent.

There is not anything in this to connect the captain (Pearn) with the offence of which G. A. Hammond and recruiter Burns were certainly guilty. I think there is no need to write to the Governor at present. When Pearn returns he may be questioned.

W. E. P. O.

Hold over until Captain Pearn has an opportunity of stating his version of the occurrence.

H. W. N.

31/5/94.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
May 15, 1894.

SIR,

WITH further reference to the complaint against the "Lochiel" by the Rev. F. J. Paton, forwarded through the Commissioner for the Western Pacific on the 28th September last, for illegally recruiting on the 27th May 1893, at a place five miles north-west of the Pangkuma Mission Station, Mallicolo, of a man, Rerib Nabur, with a woman, Resin Vannie, or Riverin Bue, not his wife, I have the honour to forward herewith two statements, one of the recruit under the name he was recruited by (Roogan boar), the other by T. J. Burns, the then recruiter on board the "Lochiel."

You will see that the islander's statement completely bears out Mr. Paton's complaint, while that of the man Burns goes to show that something occurred before the pair were recruited which ought to have thrown suspicion upon the *bona fides* of the transaction, Burns says: "We landed, I believe, some four boys at Mallicolo, Pangkuma Passage, &c., &c. I tried to get some recruits; a man Rooganboar came to the boat and told me that they (the Natives) would not allow his 'Mary' to come at that passage."

I confess I believe the Islander's statement, and have no doubt that the Government Agent knowingly disregarded the Act.

There is no actual proof that Captain Pearn knew what took place, but Burns's story, to my mind, points to the most extraordinary indifference on his part, altogether contrary to what is expected from a man who has the reputation of being one of the smartest at his business in the trade.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Officer-in-Charge.

SIR,

Bundaberg, April 3, 1894.

REPLYING to yours of the 29th March *re* Nos. 57 and 58, Roogumboar and Revaringey F. of Mallicolo, I now forward the statement of the first named. The woman states, through her present husband, that her island name is "Resin Vanne," that her husband "Rochor," an old man, neglected her, sleeping anywhere and everywhere but with her, and that other men used to torment her, even coming into her house at night, so she ran away. She is now with child to "Roogumboar."

I have, &c.

To the Immigration Agent,
Brisbane.

H. St. GEO. CAULFEILD,
I.P.I.

VOYAGE of "LOCHIEL" beginning 24th March 1893 and terminating 26th July 1893.

THOMAS BURNS, on his promise to tell the truth and nothing but the truth, states:—
"We landed, I believe, some four (4) 'boys' at Mallicola, Pangkuma Passage; when the 'boys' were landed, I tried to get some recruits; a man Roogumboar came to the boat and told me that they (the Natives) would not allow his 'Mary' to come at that passage, and made an arrangement for me to go about two (2) miles down the coast, and they would meet us there; I went to the appointed place and waited until they came, they were accompanied by some teachers; they (the teachers) received the trade on account of the woman and the man received his money, I believe, in Queensland; the woman I remember as named 'Revaringey' the teachers belonged to the Pangkuma Mission Station. I put the man and woman into Mr. Hammond's boat, and whilst I was paying trade for the woman, I heard Mr. Hammond questioning the man and

woman as to their being husband and wife; they said they were. Mr. Hammond had before this been told by myself that the man could not take his wife from the first-visited passage. At this time the 'Lochiel' was under weigh and a couple of miles from the shore, this was in the morning, I think. After we got on board, the recruits would have been taken down into the cabin in the usual course by Mr. Hammond. The consent of the chief to the departure of this woman was not obtained, but Mr. Hammond asked some 'boys' who accompanied the teachers whether Roogumboar and Revaringey were man and wife, they said, yes. Whilst we were waiting for these two at the appointed place the captain (Pearn) run up the lunch flag, but we could not leave, and on my return I told the captain that we had to go to a particular spot to enable us to recruit this man and woman. I am not aware whether the captain ever put any questions to them. I do not remember seeing Revaringey crying because she was told by Mr. Hammond that she must return to Mallicola. Captain Pearn did not ask me whether the chief's consent had been obtained. No objection whatever was made to Revaringey recruiting with us.

"These events took place on our trip in the 'Lochiel' which commenced on the 24th March 1893 and terminated on the 26th July 1893."

T. J. BURNS.

No. 57. "Roogumboar" of Mallicola ex "Lochiel" 28th July 1893, states:—

"My name along island, Merib Nabur; I came along 'Lochiel' and 'Reva Ringey' stop wife along me, no wife along me at Island, stop wife first time on ship. Her husband named 'Rochor'; she stop with him three years; no have any children.

"When I go along boat belong 'Lochiel' woman go too; I no bring her; me tell Mr. Hammond she no wife belong me; Mr. Hammond he say she go back; Mary she no want to go; she cry; me tell Mr. Hammond me take un that Mary; he say all right. 'Rocher' he stop on beach when me two fellow go along boat. Boat no catch me; two fellow along same passage as 'Oolan' and 'Massing.' Plenty man Mallicola stop when me go along boat. 'Borang' stop along house that time. Reva Ringey stop with child to me now."

Mark of

×

ROOGUMBOAR.

Extract.

My son, the Rev. F. J. Paton, now a missionary on Malekula (Mallicolo), writes in a letter dated 24th September 1893, as follows:—

"On Saturday, 27th May 1893, Queensland recruiting ship 'Lochiel,' Government Agent, Mr. George Hammond, landed boats five miles north-west of Pangkuma Mission Station on Malekula, recruited a man 'Merib Nabur' also, contrary to regulations, a woman who was not his wife, named by two names, according to native customs, 'Resin Vanne' or 'Reverin Bue.' Her husband 'Rochor' had not given his consent, and he and her brother 'Borang' asked me to report the case. I have sent a complaint to Fiji to Sir John B. Thurston, but there has not been an opportunity of an answer yet."

No. 67.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 15, 1894.)

Government House, Brisbane,
September 1, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch, dated 10th April last,* in which I forwarded, for your information, copies of certain documents respecting the labour vessel "Lochiel," I have now the honour to transmit a copy of a report, which has been furnished by the Immigration Department, respecting her recent voyage.

I have, &c.

H. W. NORMAN.

* No. 45.

Enclosure in No. 67.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
August 24, 1894.

SIR,

THE return of the labour ship "Lochiel" to Brisbane on the 8th instant affords me the honour of reporting upon her recent and 20th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 143 Islanders and a license was granted to enable the master to recruit that number for Goondi plantation in the Geraldton district.

R. Pearn was the master, and Mr. A. Thompson the Government Agent.

The ship left Brisbane on the 28th March having no returning Islanders on board and arrived at Guadalcanar on the 9th of April last.

Recruiting commenced at Maran Sound, Guadalcanar, on the 10th of April, and was prosecuted throughout the Solomon group finishing at Malayta on the 21st of July having occupied 103 days, during which period 66 male recruits were obtained. Two of the recruits deserted, one of whom returned to the ship. *See Appendix A.*

On the 10th May, recruit 28 Kee Kee became insane and slightly wounded three or four of the other recruits; he was put into irons and subsequently landed at his passage. *See Appendix B.*

On the 21st of July, recruit No. 7, "Marquoi," was landed, being in bad health. *See Appendix C.*

On the 24th July the ship took her departure from Guadalcanar for Queensland carrying 63 Islanders who were brought from the Solomon group, and included

8 previously employed in Queensland.

1	"	"	Fiji.
9	"	"	Samoa.

The health officer passed all the Islanders with the exception of No. 24, "Longator," who has been sent to hospital for treatment. *See Appendix D.*

With regard to Regulation 46, no money was forwarded by the "Lochiel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Government Agent, Mr. Thompson, reports "that fever was very prevalent on board during the early part of the voyage, many of the white men and recruits being laid up with it. However, we had no deaths and all are recovered."

Mr. Thompson also reports "the vessel, boats, &c., I believe to be in good order, indeed I do not know of anything on board requiring repairs."

I enclose herewith tracing of the course of the ship showing places where Islanders were recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN.

Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of cases of Desertion of two Recruits.

1st May. Anchored at Ticore, Malayta. This morning 22 "Mane," was missing, we supposed that he swam ashore during the night.

22nd July. Under weigh in Barnah Harbour. Just as we were leaving the harbour we were informed that one of the recruits had swam ashore during the night and that a canoe was bringing him off to the ship. In a short time the canoe came alongside and the recruit immediately began to climb up the side of the vessel. I did not allow him to come on board, however, until I had put him through a rigid examination, the result of which was that he had swam ashore during the night with the intention of going to his village on the other side of the island, but directly he landed he became frightened and gave up the idea. He then waited until daylight and seeing the canoe, which was fishing, hailed it and asked the two men in to take him on board.

Being perfectly satisfied that the man wished to come back of his own free will, I allowed him to come on board. His name is No 45, "Gwaluah," and the names of the

two interpreters I used during the examination, are, "Billy Langalanga" who came on board to say good-bye, and 40, "Sortu," one of the recruits.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG of case of a Recruit who became Insane.

10th May. At anchor in Seoh Harbour. At 11 p.m. last night one of the recruits, 28 "Kee Kee," became insane and inflicted some slight wounds on three or four of the other recruits with a bar of iron. I had him put in irons for the night and landed him at his passage this morning.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT'S LOG of case of Recruit landed in bad Health.

20th June. Off Horlu, Malayta. No. 7 "Marquoi" is very ill; I thought at first that he had rheumatism, but now I am afraid that he has paralysis. He seems to be gradually wasting away.

21st July. At anchor at Barnah. No. 7, Marquoi, has not recovered the proper use of his limbs; we landed him at him at his passage, Quimanvow, to-day.

APPENDIX D.

EXTRACT from the GOVERNMENT AGENT'S LOG of an Accident to one of the Recruits.

1st July. Anchored at Lambee. Yesterday afternoon one of the recruits met with rather a nasty accident. It appears that he was standing on the spar that the carpenter is forming into a topsail yard; when the spar turned and jammed his leg with one of its sharp edges, thus inflicting a very severe wound. I put several stitches in it, and to-day the patient is progressing favourably. His name is No. 24 "Longator."

No. 68.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 22, 1894.)

Government House, Brisbane,
September 14, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 31st July last,* I do myself the honour to transmit copy of a letter which I have received from the High Commissioner of the Western Pacific, in acknowledgment of my Despatch of the 30th July, in which I forwarded to his Excellency a copy of Sir Samuel Griffith's letter of the 3rd July last, and its enclosures.

2. I have sent a copy of Sir J. Thurston's letter to the Chief Secretary, for his information and for communication to Sir S. Griffith.

I have, &c.

H. W. NORMAN.

Enclosure in No. 68.

High Commissioner's Office, Western Pacific,
Suva, Fiji, August 23, 1894.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 30th of July ultimo, transmitting, for my information, a copy of correspondence which

* No. 61.

has arisen between Sir Samuel Griffith and the Rev. W. Watt, Clerk to the New Hebrides Mission Synod.

2. I do not know that any useful public purpose will be gained by my referring at any length either to the regrettable, I may perhaps add, entirely uncalled-for, terms in which the New Hebridian Synod, in its minutes of the 2nd of May last, saw fit to advert to the action of Sir Samuel Griffith, when acting as the Chief Secretary of the Colony under your Excellency's jurisdiction. Nor do I know that I can with any advantage, and especially at this lapse of time, refer in detail to the report of Mr. D. Rannie, Government Agent on board the Queensland labour recruiting vessel "Empreza," communicated to me confidentially by your Excellency on the 20th of January 1893.

3. As Sir Samuel Griffith, however, in the ninth paragraph of his letter of the 3rd of July 1894, to the Clerk of the New Hebrides Mission Synod indicates a doubt as to the signification of my expression "that in my opinion, Mr. Rannie's statements are not worthy of credence," I may, perhaps, say that I did not intend more by that expression of opinion than to say that, upon Mr. Rannie's allegations and charges, as submitted to me by Her Majesty's Government for inquiry, I did not deem them worthy of credence. I had no intention, nor have I now, of suggesting that, in the discharge of his duty to the Government employing him, Mr. Rannie could not be relied upon as truthfully representing the facts as they appeared to him, and I do not doubt that in the long and varied experience of Sir Samuel Griffith he has, with me, discovered how little credence at times is due to witnesses even though representing facts as they appear to them, while at others inquiry has shown that the facts were actually opposed to such appearances.

4. But the report of Mr. Rannie which has given rise to this correspondence is tinged from beginning to end with a strong animus against the Presbyterian missionaries in the New Hebrides which detracts from, if not destroys, its value. To cite merely one passage, Mr. Rannie reports, for the information of his superior officer, that he saw "Three large churches of the French Jesuit Priests hard at work too, while " the Presbyterian missionaries are minding other people's affairs." This statement that the Presbyterian missionaries are "minding other people's affairs," either means that in Mr. Rannie's opinion the labour traffic neither affects the work of the Presbyterian Mission nor concerns the missionaries personally, or it is a gratuitous affront.

5. At the same time, and though they were doubtless smarting under a sense of wrong at the hands of Mr. Rannie, the New Hebrides Mission Synod unquestionably owed its thanks to Sir Samuel Griffith for the publicity he gave to the charges made, and its best friends must regret the unfortunate terms of the minute in which that action is referred to.

I have, &c.

JOHN B. THURSTON.

His Excellency
General Sir H. W. Norman, G.C.B., G.C.M.G.,
&c. &c. &c.
Governor of Queensland.

No. 69.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 29, 1894.)

MY LORD MARQUESS,

Government House, Brisbane,
September 17, 1894.

IN continuation of my Despatch of the 25th of May last,* in which I forwarded, for your information, copies of certain documents respecting the labour vessel "Empreza," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

* Not printed.

Enclosure in No. 69.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
September 6, 1894.

SIR,

THE return of the labour ship "Empreza" to Townsville on the 21st ultimo affords me the honour of reporting upon her recent and fourth voyage under the "Pacific Island Labour Acts."

The ship was certified to have had sufficient accommodation for 159 Islanders and licenses were granted to enable the master to recruit 110 for four plantations in the Townsville district.

F. F. Malcolm was the master and Mr. W. de Vaux the Government Agent.

The ship left Townsville on the 13th April last having 129 returning Islanders on board and arrived at Erromanga on the 8th of May.

All the returning Islanders were landed at their proper villages or passages with the exception of 21 who were landed elsewhere at their own request. *See Appendix A.*

Recruiting commenced at Tanna on the 24th of May and was prosecuted throughout the New Hebrides, Santa Cruz, and Solomon, groups, finishing at Malayta on the 12th of August, having occupied 80 days during which period 87 recruits were obtained, 83 males and four females.

On the 12th of August the ship took her departure from Malayta for Townsville carrying 87 recruits who were brought from the following groups:—

New Hebrides	-	-	-	-	-	-	-	33
Santa Cruz	-	-	-	-	-	-	-	20
Solomon	-	-	-	-	-	-	-	24
Total	-	-	-	-	-	-	-	87

Including 22 previously employed in Queensland.

3 " " Fiji.

On the 18th of August, recruit 39 "Peciter" was missed; supposed to have fallen overboard. *See Appendix B.*

The health officer passed all the Islanders excepting two, No. 28 "Lulua" rejected as he is "supposed to be weak-minded," and 45 "Maycaroo" reserved for medical treatment.

With regard to Regulation 46, no money was forwarded by the "Empreza" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Government Agent reports that one Snider was stolen from the recruiter's boat at Malayta while the boat was lying alongside the ship, and, it is supposed to have been taken by one of the numerous canoes which are always about. The Government Agent has been advised that the ship's company should not be allowed to leave firearms about unguarded.

I enclose herewith tracing of the course of the "Empreza" showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENAN,
Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of cases where Islanders were landed elsewhere than at their proper villages during the voyage of the labour ship "Empreza."

Name.	Proper Village.	Island.	Extracts.
43 T. Tyee -	Leman -	Apie -	1894. 20th June. Malo landed 43 "Tyee." "Tyee" is on the outward list as a Santo boy, but he says Malo is his island.
58 T. Weetoo -	Pasoa -	Lacon -	1st July. Black Beach, Lacona. The friends of the returns mentioned in the margin came over from the weather side of Lacona and told us that the sea was too high to land, so all the returns belonging to the weather side requested to be landed at Black Beach and go back with their friends.
59. Wellbus -	" -	" -	
60. Harry -	Snatla -	" -	
61. Woomat -	Doree -	" -	
62. Witago -	Tassa -	" -	
63. Watoo -	Snatla -	" -	
64. Witangee -	Tassa -	" -	
65. Sawool -	Layou -	" -	
66. Wembow -	Doree -	" -	
67. Rilleau, F. -	Tassa -	" -	
68. Roobong -	Layou -	" -	
69. Sargee -	Doree -	" -	
70. Wooremba -	" -	" -	
71. Roonberry, F. -	Layou -	" -	
72. Werkali -	" -	" -	
103. Weterquess -	Snatla -	" -	
104. Weman -	" -	" -	
16 T. Yuncon, F. -	Lepamalab -	Ambrym -	7th July. Working towards Meralab. 16 "Yuncon" F. and her man 102 "Marsoo," would not land at Paama, so I wished them to return to Queensland and come down next trip, but they insisted on being landed at Meralab. No. 16, "Ambon," who also wished to be landed at Meralab.
102. Marsoo -	Hillett -	Paama -	
16 M. Ambon -	Lensoon -	Mallicolo -	

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG *re* missing a Recruit.

18th August 1894. On the passage towards Townsville. The recruiter reported to me that one of our recruits was missing (No. 39 "Pesiter"), looked all over the ship but could not find him; he must have fallen overboard during the night.

No. 70.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 29, 1894.)

Government House, Brisbane,
September 17, 1894.

MY LORD MARQUESS,

In continuation of my Queensland Despatch of the 30th of April last,* in which I forwarded, for your information, copies of certain documents respecting the labour vessel "May," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

2. With regard to the case, mentioned in Appendix A., of the two return Islanders by the "May" who refused to land at their village because of a tribal war, my Chief Secretary informs me that, under the circumstances stated by the Government Agent of the vessel, he has ratified Mr. Cecil's action in re-recruiting these "returns."

I have, &c.

H. W. NORMAN.

Enclosure in No. 70.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
September 1, 1894.

SIR,

THE return of the labour ship "May" to Brisbane, 21st ultimo, affords me the honour of reporting upon her recent and 14th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 150 Islanders and licenses were granted to enable the master to recruit that number for three plantations in the Ingham, Bundaberg, and Mackay districts.

J. P. Doig was the master and Mr. A. C. Cecil the Government Agent.

The ship left Bundaberg on the 15th of April last, having three returning Islanders on board and arrived at Tanna on the 9th of May.

One returning Islander was landed at his proper passage, the remainder, two, were afraid to land, *see* Appendix A., and recruited again for Queensland.

Recruiting commenced at Havannah Harbour, Sandwich, on the 14th of May and was prosecuted through the New Hebrides, Santa Cruz, and Solomon groups, finishing at Why-di-ya, Malayta, on the 26th July having occupied 74 days, during which period 47 recruits were obtained, 45 males and two females.

On May 25th, No. 9, "Tabbacocon" F. was returned to the shore upon the discovery that she was not the wife of the Islander No. 8, "Longneine" with whom she recruited as being her husband, *see* Appendix B.

On the 29th of July recruit 16, "Harry Mahwo" was murdered by recruit No. 13, "Sallywarry," for full particulars, *see* Appendix C. with the Government Agent's report thereon.

On the 4th of August, No. 30, "Pooloo," a recruit from Santa Cruz died—supposed cause of death, dysentery.

On the 5th of August the vessel took her departure from San Christoval, direct for Brisbane carrying 44 recruits who were brought from the following groups:—

New Hebrides	-	-	-	-	-	14
Santa Cruz	-	-	-	-	-	13
Solomon	-	-	-	-	-	17
Total	-	-	-	-	-	44

Including 7 previously employed in Queensland.

1	"	"	Fiji.
2	"	"	Noumea.
1	"	"	Sydney.

The health officer passed all the Islanders with the exception of 29, "Pullwah," who is in the hospital for treatment, and 13 "Sallywarry," who had been taken to the lock-up.

With regard to Regulation 46, no money was forwarded by the "May" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

Two returning Islanders, No. 2, "Faladane," and, No. 3, "Sepkar," refused to go ashore at their landing place, fearing they would be killed, and subsequently recruited. These Islanders arrived in the colony per "Lochiel" on the 8th January last, and were returning home as no interpreter could be found in Bundaberg to enable an agreement to be entered into. *See* Appendix A.

The Government Agent, Mr. Cecil, reports that "The vessel will, I understand, go into dock at Brisbane and will receive a thorough overhaul. Besides the usual inspection of sails and boats, the yam pots will require to be repaired and I strongly recommend an inspection of each individual tank now in the hold as from what I can gather some of them are very thin. Other things will no doubt come to light during the inspection by Mr. Fison."

The Government Agent also writes "I have much pleasure in reporting no complaints."

I enclose herewith tracing showing the course of the "May" and places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT's LOG relating to two Islanders who refused to go ashore at their landing places as they were afraid of being killed.

11th June 1894. At anchor at Big Bay, Santo. The following boys who were sent back by the "May" refused to go ashore as they were afraid of being killed. From inquiries that have been made from the interpreter and other Natives it is very clearly proved that the boys would be killed before they could get to their villages, which would take them about four days to accomplish, as all the salt water men on the south and west side of the bay are at war with several of the bush tribes and the boy's tribes are amongst them. Every endeavour has been made to get them to go ashore of their own free will, but to put them ashore against their will would simply be handing them over to their enemies to do as they like with.

Under these circumstances, I have recruited the boys again, according to their express wish as stated to me by the interpreter and by the boys themselves, who can now speak enough English to make themselves understood.

Bund No. 2 Faladane } returns.
 „ 3 Sepkar }

Recruited as 14 and 15 this date.

APPENDIX B.

EXTRACTS from the GOVERNMENT AGENT's LOG, *re* a Female recruiting with an Islander who was not her Husband.

22nd May 1894.—Off the S.W. end of Ambrym.

Recruits 8 "Longhine," and 9 "Tabbacoön," F. are husband and wife.

May 23rd.—Touching the man and his wife who were recruited yesterday, I cannot find out anything that leads me to believe that they are not man and wife. I asked several men ashore to-day about their relationship, some said they did not know anything, some said they were married, while others said they were not. As I could not find out anything satisfactory either one way or another, I asked recruit 5, who comes from a different passage, if he knew them to be married, and he said they were. One fact remains, that nobody appears to want the woman back. But the whole trouble seems to hinge on the fact that the people ashore have not received a present from the ship, as both have elected to take money in Queensland.

24th May.—I have made fresh inquiries about the woman "Tabbacoön," and I find that she is the wife of a chief of a village called "Melcon," and that the boy "Longhine" has run away with her. She will be landed to-morrow morning at the mission station at Dip Point.

25th May.—Off the entrance of Port Sandwich. Landed the woman No. 9 "Tabbacoön," at mission station, Dip Point. Her brother is in charge of station, which is also the nearest place to her home.

APPENDIX C.

The GOVERNMENT AGENT's REPORT, *re* death of "Harry Mahroo."

SIR,

Schooner "May," Brisbane,
 August 21, 1894.

I HAVE the honour to place before you the particulars of the death of the Lacona boy "Harry Mahroo," No. 16, who was killed on the morning of July 20th, 1894, whilst the "May" was at anchor in "Marau Sound," Guadalcanar; as contained in my Log, page 45.

This morning at about 6.30 (July 29th) I heard a disturbance on deck, and on going out to see what it was I saw an Aoba boy named "Sallywarry," No. 13, clearing the decks with an axe.

After rushing round the decks once or twice he had the axe taken away from him by a white man named "Over."

He then jumped into the boat that was in the water on the port side and then into the water himself.

He was secured and brought on board and placed in the forehold.

After he was secured I found out that he had killed a boy named "Harry Mahroo," No. 16, of Lacon.

I then went down into the hold where the body was lying, and found out that the victim had four fearful cuts about his head, neck, chest, and face.

The one at the back of his neck severed the neck vertebrae.

He died about a quarter of an hour after the assault.

The whole affair from the attack to the arrest occupied only about six (6) minutes.

No one actually saw the murder committed.

The latest information that I can get on the matter is that he ("Sallywarry") was washing decks with the others and must have slipped down below again when he saw "Mahroo" come on deck and then have waited for him when he came down to get some more yams for the boys' breakfast.

He must have watched his opportunity when he was stooping down to kill him. After that he went to the store-room door, where the recruiter was getting some stores out, and, after flourishing the axe round, cleared out, and is supposed to have struck "Mahroo" again.

He then proceeded on deck with the result above mentioned.

No one knows when he secured the axe, but he must have taken it away from the yam galley, where it was used for cutting wood.

I am also informed by a boy named Arookeaky, No. 11, that he (No. 11) had taken another axe away from him last night. Had the boy told some one about it, possibly this affair might have been prevented.

During the excitement, the mate was ordered by the master to fire a shot over his head to frighten him.

At 8 p.m. he is still very excited.

To the Immigration Agent,
Brisbane.

I have, &c.

AUBREY C. CECIL,
Government Agent.

No. 71.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 29, 1894).

Government House, Brisbane,
September 20, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 14th instant,* relative to the charge of trading in illegal articles made by Mr. Government Agent Rannie against certain missionaries in New Hebrides, I have now the honour to enclose, for your Lordship's information, copy of a further report by Mr. Rannie upon the subject.

2. In compliance with the request of my Chief Secretary, I have forwarded a copy of Mr. Rannie's further report to his Excellency Sir John B. Thurston.

I have, &c.

H. W. NORMAN.

Enclosure in No. 71.

SIR,

Mackay, July 31, 1894.

As directed by your letter of the 26th instant to the Inspector of Pacific Islanders, Mackay, I have now the honour to report upon the minute of the New Hebrides Mission Synod anent trading, &c. by the missionaries as stated in my report on the 19th December 1892.

By direction, I have already had the honour of reporting upon a letter written by a Mr. Langridge, in which he was pleased to criticise the above-mentioned report, endeavouring at the same time to cast a doubt upon my veracity.

I can only repeat the substance of what I have formerly written, *i.e.*, that as a Government Agent I, in the discharge of my duty, reported to the head of my Department what I actually saw and heard while cruising among the islands, without bias or animus towards any people, church, or sect.

Amongst other matters I mentioned what I saw and heard when at the island of Mai.

The Rev. Mr. Milne, in his statement, to some extent bears me out in what I did report upon this matter, *vide* his own words: "*it is possible that Mr. Rannie, in reporting as he did, may have been reporting only what he saw and heard,*" and further, to quote Mr. Milne again, he says "*there is no accounting for what some Natives will sometimes say.*"

As a matter of fact, I actually saw a large quantity of shot exposed to view, and likewise a quantity of percussion caps for Enfield rifles. In the same shed or store were numerous cases, most of them intact. Several were branded "ale" or "stout," and others "gin."

While coming from my vessel to the shore, I saw a white man about a quarter of a mile from the store. I had no conversation with him or with any other white man residing there.

The Natives whom I saw told me that everything in the store belonged to Mr. Milne, and that he bartered percussion caps and ammunition to them in return for arrowroot and shells.

I did not, and cannot, say whether there was any spirituous liquor in the store at the time; the cases that were branded as containing such were intact, and I could not see the contents without broaching them. I inferred that they contained what they were stated on the outside to contain, as the cases appeared new and unbroken, and also on account of the number of empty bottles lying about on the outside of the house.

All the cases were addressed to the Rev. Mr. Milne, Nguna.

If Mr. Milne's address was put on the articles in question, as he suggests, by some "ill-disposed white man," then the said "ill-disposed white man" *may* also have tampered with Mr. Milne's converts and caused them to have made false statements to me, but I think that very strong proof that such was the case would be necessary.

Had Mr. Milne been on the island at the time, or conveniently near, I would in my private capacity (as a supporter of the Presbyterian Mission in the New Hebrides and other heathen missions of the Presbyterian Church) have interviewed him about the matter.

In support of this, I may state that in the latter part of the year 1889 I called the attention of the Rev. Mr. Fraser, of Epi, to the fact that a trader living close to his mission station had informed me that he was Mr. Fraser's brother-in-law, and that he was trading with the Natives under the auspices of, and in connexion with, the New Hebrides Mission, and that I saw him sell a case of brandy containing one dozen bottles to the Natives, many of whom were very drunk. I also verbally informed the Rev. Mr. Michelsen and also the Rev. Mr. Robertson of Erromango of the affair.

The trader may be still there for anything I have heard to the contrary.

His name is Le Mesurer. He also dealt in fire-arms, ammunition, and dynamite at the time I saw him sell the drink.

The statement referred to in the Synod's minute as "charges laid against an Epi missionary being proved to be false." I did not say that this charge was true by my own knowledge, but that a trader named Facio had reported that a case had arrived addressed to "Fraser," Epi, which contained, amongst other trade, fire-arms and ammunition.

I was also informed that there was at the time a trader named Fraser on the island, but he would not accept ownership of the case, and said it belonged to the missionary.

In reference to the absence of missionaries from their stations; I mentioned the island of Mallicolo in particular.

I know personally, and have been on friendly terms with, the Rev. Messrs. Leggat, Morton, and Gillan, all of Mallicolo; and I called to see them on the occasion which I report, but was informed by the Natives that they had gone to Sydney.

I could not help remarking at the time the rapid strides the French Jesuit missionaries were making, and the strong hold they were acquiring over the Natives; and, although comparisons are odious, I noted that, while the work of the Presbyterians was limited to three small portions of the east coast, the Jesuits embraced the whole of the island, and travelled the length and breadth of it on foot.

Mr. Morton personally informed me that he was afraid of the Natives, and feared he would have to abandon the place, and in a letter to his uncle in Scotland, which was published in the "Free Church Monthly Record," he made the same statement, and referred to the case of one of his servants being shot dead in his presence.

With all due deference to the opinions expressed by his Excellency the High Commissioner from his "*own knowledge of matters in the New Hebrides*," I believe that I was fully as well acquainted with the Natives and their affairs as he was, as I had greater facilities of inquiring into their conditions than he had, as naturally the natives were more communicative with me than they were likely to be with the High Commissioner or any of his deputies, who generally interviewed them while backed up by a war-vessel, and well-armed crew; the Natives being then on their best behaviour. And I was well acquainted with Mallicolo and its Natives years before a missionary of any denomination settled there.

My reports to the Queensland Government on my cruises among the islands, have extended over a period of nearly nine years.

I have always given the missionaries of the New Hebrides Mission every assistance in my power, and every credit for good works done, and am surprised to learn that his Excellency the High Commissioner imputes to me an animus against a mission I have very often inconvenienced myself to render help to; and has written to the Secretary of State for the Colonies, that in *his opinion* my "statements are not worthy of credence."

The Rev. Dr. Paton, a well-known missionary, and doubtless a man whose statements the High Commissioner would consider worthy of credence, has publicly stated that I "in a fit of remorse for malicious statements" made by me "committed suicide" immediately on arrival in Queensland.

This, at any rate, is untrue, and if the rest of the information in the hands of the missionaries is not more reliable, it cannot be worth much.

If the statements made by me in my official report were malicious, it remains for the missionaries mentioned to prove them so by confuting them.

1st. Was not Mr. McDonald away from Santo in November of 1892?

And before leaving, did he not inform the Natives, that if they went to Queensland they would be punished by the Queensland Government and sent home again?

2nd. Were not Mr. Gillan, Mr. Morton, and Mr. Leggat (the only Presbyterian missionaries I have seen on Mallicolo) away from their stations on that island during November 1892?

I called at Mr. Gillan's house, and from the Native left in charge received a number of letters and papers addressed to people on board my vessel; and the Natives then told me that Mr. Gillan was gone. I visited the other two mission stations, and the Natives and European settlers told me that the missionaries were all gone away, and they certainly were not there when I called.

3rd. Do the missionaries not carry on a trade with the Natives and purchase goods and produce from them, giving them in exchange or barter, calicoes, prints, handkerchiefs, beads, clothing, tobacco, pipes, and hardware?

The Rev. Mr. Robertson, of Erromango, with whom I have always been on the best of terms, and a missionary whom I much admire, has shown me his store and explained his mode of dealing with the Natives. He does a big trade in arrowroot.

Mr. Michelsen, when I was at Tongoa, showed me a large number of straw hats made by the Natives of that place, which he said he would dispose of in New Zealand.

When at Mai on a former occasion, while no white man resided there, I saw large quantities of pearl shell, which the Natives said they sold to Mr. Milne.

When visiting Mr. Grey at Tanna he expressed a wish that some respectable trader would settle near him, as he (Mr. Grey) did not care about trading with the Natives, and yet he was obliged to deal with them.

By making these statements I do not think that I am showing any animus towards a mission I have every wish to see prosper.

And until they are disproved I do not think his Excellency the High Commissioner is justified in saying that my "statements are not worthy of credence."

I leave you to consider whether the testimony regarding my character (as being a trustworthy and reliable officer) given by the Hon. Sir Samuel W. Griffith, under

whom I served for years, and who consequently knew something of me, is not to have greater weight than that of a person who never so much as saw me.

I have &c.

DOUGLAS RANNIE,
A. I. P. I.

No. 72.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received October 29, 1894.)

Government House, Brisbane,
September 21, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 18th of April last,* I have the honour to submit for your Lordship's information copies of letters received from his Excellency the High Commissioner of the Western Pacific† and from my Chief Secretary, in further reference to the landing by the labour vessel "Ariel" at Uripiv, on the island of Mallicolo, of two return labourers belonging to a place some 25 miles distant.

I have, &c.

H. W. NORMAN.

Enclosure in No. 72.

Chief Secretary's Office, Brisbane,
September 18, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of a Despatch from the High Commissioner of the Western Pacific, dated 30th April 1894 (which is returned herewith), in further reference to the landing by the labour vessel "Ariel" at Uripiv, on the island of Mallicolo, of two return labourers belonging to a place some 25 miles distant.

Although I am still inclined to allow Government Agents to use their discretion when they have good reason to believe that literal obedience to the instructions to land "Returns" at their own homes would be attended with danger to the Islanders concerned, I shall gladly give effect to Sir John B. Thurston's suggestion that Government Agents should be instructed to exercise the greatest care in making themselves acquainted with the geographical situation of the places at which Islanders to be returned were originally recruited.

His Excellency

Sir Henry W. Norman, G.C.B.,

&c. &c. &c.

Governor.

I have, &c.

HUGH M. NELSON.

No. 73.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received November 12, 1894.)

Government House, Brisbane,
October 4, 1894.

MY LORD MARQUESS,

WITH reference to your Lordship's Despatch, dated 5th July 1894,‡ asking for further information respecting the cause of the high rate of mortality among the return labourers shipped on the vessel "William Manson" in September 1893, I beg to submit, in reply, a letter from my Chief Secretary covering a report by the Immigration Department upon the subject, and of a report from the Government Agent of the "William Manson," therein referred to.

I have, &c.

H. W. NORMAN.

* No. 47.

† See Enclosure 2 in No. 52.

‡ No. 53.

Enclosure in No. 73.

Chief Secretary's Office, Brisbane,
October 2, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of Lord Ripon's Despatch of 5th July 1894, asking for further information respecting the cause of the high rate of mortality among the return labourers shipped on the vessel "William Manson" in September 1893, and to enclose duplicate copies of the report of the Immigration Department upon the subject and of the report of the Government Agent of the "William Manson," therein referred to.

With regard to the last paragraph of the Despatch, I have the honour to state that the Government are fully alive to the desirableness of securing Government Agents who possess some medical knowledge, but great difficulty is found in obtaining men possessing this qualification who have at the same time the special qualifications necessary to make an efficient Government Agent.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

I have, &c.
HUGH M. NELSON.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
September 6, 1894.

SIR,

REFERRING to your minute of the 22nd ultimo, upon accompanying papers, I have the honour to report as follows respecting the condition of the nine return Islanders who died on board the "William Manson," but were not mentioned by the medical officer in Mackay under Regulation No. 42.

No. 1, Soongooner had been ill for some time on his plantation.

No. 2, Looley is said to have been under treatment for about two years in Queensland, but the Government Agent does not appear to have been advised.

No. 3, Bumbara, the Government Agent appears confident, died of fistula and phthisis.

No. 4, Hoonoora was a recruit by the "Empresa" found to be unfit for plantation work and sent home by his employer; he commenced to waste shortly after coming on board the "William Manson."

Nos. 5 and 6, Ohwatta and Molang-garlo came on board as healthy boys, but could not have been so.

Nos. 7, 8, and 9, Ask-why, Wollia, and Lapoley were treated for phthisis by the Government Agent.

The Government Agent says:—

"In nearly every case the mates of the dead boys told me that they had been sick on the plantations, consequently it is just possible that each might have had a sick history, and I can quite believe that some of them would not care about going into a hospital for fear of not being sent aboard of a ship."

I have no doubt that Mr. Cecil did everything in his power first to diagnose the cases properly, and afterwards to make things comfortable and easy for the sick boys.

I attach the Government Agent's report.

The Principal Under Secretary,
Brisbane.

I have, &c.
J. O'N. BRENNAN,
Officer-in-Charge.

SIR,

Brisbane, August 29, 1894.

I HAVE the honour by your direction to make a report upon the deaths of nine (9) boys, who died on board of the "William Manson" during the time that I was Government Agent of that vessel.

Of the nine (9) boys who died, seven (7) came from Mackay, and two (2) from Ingham.

Whatever might have been the cause of death, I firmly believe that the germs of the disease must have had a good hold of them before they came on board of the vessel.

In nearly every case the mates of the dead boys told me they had been sick on the plantations, consequently it is just possible that each might have had a sick history,

and I can quite believe that some of them would not care about going into a hospital for fear of not being sent on board of a ship.

Noting the sickness under which certain of the returns mentioned by the medical officer at Mackay suffered, I can only say that I reported the cause of the deaths of some of the boys as "Phthisis," not through any desire to get rid of a troublesome matter, but from the symptoms described in the medical works on the ship, which agreed with those stated by the sick boys themselves.

Regarding the feeding of the sick boys during their illness, I can confidently state that they were well attended to, getting food from the cabin table besides farinaceous food, and what was much more likely to do them good was the native food when it could be obtained.

Of the first that I called to notice :—

1. I find that an entry in my log is to the effect that the boy "Soongooner" "had" "been ill for some time on his plantation." During his illness I did the best I could for him.

The next that I touch upon is "Looley" :—

2. This boy, I was told, had been under treatment for about two (2) years whilst in Queensland. Nothing was said about this when he came on board, neither could I expect a separate history from the medical officer *re* the past state of every boy's health. In stating the cause of this boy's death I believed that I was making a true statement.

*Of the boy "Bumbera," who died of "Fistula and Phthisis" I think that the case speaks for itself, as I [apprehend that] "Fistula and Phthisis" are often found [together and] in the case of "Fistula" it can hardly be [treated properly] on board of a ship by inexperienced people. [That] it is a most dangerous complaint will be admitted and one requiring great care.

4. Of the boy "Hoonoora," I beg to state that he was a rejected boy *ex* "Empreza," and was being taken home as unfit for plantation work. Shortly after coming on board this boy began to waste away and finally died on the 4th January 1894.

5-6. The boys "Ohwatta" and "Molang-garlo" came from Ingham and joined at Mackay, and came as healthy boys, although they could not have been so.

7, 8, 9. "Ask-why," "Wollia," and "Lafoley" were treated by me as consumptive patients for some time, according to the directions given in the medical book.

In reporting upon this matter I think it only fair to myself and the other Government Agents to state that, when sick boys are sent on board of a ship, in many cases they come from comfortable quarters in a hospital where they get every care, to the uncomfortable condition of things on board of a ship, and further to add to their discomfort have to face the terrible ordeal of sea-sickness which always begins a voyage to the Hebrides, and in many cases continues (especially with sick boys) throughout their voyage.

I have, &c.

To the Immigration Agent,
Brisbane.

AUBREY C. CECIL,
Government Agent.

No. 74.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received November 19, 1894.)

Government House, Brisbane,
October 8, 1894.

MY LORD MARQUESS,

In the fifth paragraph of my Despatch of the 21st June last,† I furnished your Lordship with some information as to the condition of the Kanakas in the Mackay

* MS. incomplete.

† Extract from Governor's Despatch of 21st June 1894 :—

"5. The Kanakas appeared well-fed and contented, and I was much pleased with a school of them, which is looked after voluntarily by a lady who has the most complete control over them. The school, which is for simple secular and religious education, can only be held at night, but the attendance is excellent, although some of the pupils have to walk four and five miles from their residences to the school. The number of Kanakas is not sufficient for the demand for the class of labour which they undertake."

district on the occasion of my visit to the various plantations in that part of the Colony, and I now have pleasure in sending copy of a report by the Rev. A. C. Smith, Convener of Heathen Missions in Queensland, to the Women's Presbyterian Mission Union, which has recently been published.

Your Lordship will see that Mr. Smith gives an interesting and satisfactory account of the condition of the Pacific Islanders in the district of Mackay.

I have, &c.

H. W. NORMAN.

Enclosure in No. 74.

REPORT to WOMEN'S PRESBYTERIAN MISSION UNION, Queensland.

KANAKA MISSION.

Rev. A. C. Smith, Convener of Heathen Missions, read the following report of the visit of the deputies sent to the Mackay district by the Heathen Mission Committee:—

“As deputed by the Heathen Mission Committee, Mr. Mitchell, Mr. Laird, and myself visited the Mackay district towards the end of August last. Mr. Mitchell remained only one week, Mr. Laird two weeks, and myself nearly four. The chief object of our visit was to inquire into the working of our mission to the Kanakas there established about six years ago, and, if possible, to extend its operation, and get increased general monetary support over the entire district. The voyage was a very smooth one none of us could be sick, however much disposed to. The weather throughout was lovely, and we met with the utmost kindness from all classes, and had every facility put in our way for visiting the different plantations, as well as furnishing us with the information we desired. The sugar-growing district at Mackay is gradually undergoing a marked change that affects also our mission work. Originally the district was made up of a few plantations, larger or smaller, several of which had their own crushing mills. Now, these plantations are being gradually cut up into small sugar farms with large central mills. Though the central mills are worked mostly by white men, the farmers say coloured labour is necessary for cane-growing and cutting, and so still employ Kanakas, on an average about four to a farm. Owing to the restrictions put on the employment of Kanaka labour, it is becoming scarcer in the district. Three years ago, 3,000 boys were employed, now there are only about 2,000. Boys engaged for the first time still get 6*l.* yearly, and rations, and clothing, and these number about 350. Older boys re-engaged, who get 12*l.* yearly, number about 100. The far greater number, amounting to about 1,500, are old boys of several years standing, who get from 20*l.* to 40*l.* a year. The result of all this is that Japanese boys are beginning to some extent to be introduced. Kanakas are greatly preferred, but their increasing scarcity makes some other coloured labour necessary. I regret this, and I believe those who have been crying down Kanaka labour will come to regret it also. The Japanese are very quick, smart, and industrious. They are allocated in groups, say, of 20 or 25, and each group has an inspector over it of their own race—a very knowing gentleman indeed—who presents his card to you, saying, ‘Present card, inspector boys’—and directs them in their labours, very much like the conductor of a choir, waving his baton before them. I attended a weekly night class of these Japanese, conducted by a lady, who feels a deep interest in their mental and spiritual welfare. They rapidly acquire our language, and after a few lessons become beautiful writers. Their introduction, however, is a matter of regret, for they will form formidable competitors with white labourers in any industry they please. The boys in the Mackay district are more and more carefully attended to, their food and clothing is of the best description. Every provision is made for them when sick. As to their mental, moral, and spiritual growth, there are mission schools held three and four nights a week at Walkerston by our zealous and devoted missionary, Mr. McIntyre; also in most of the plantations, conducted by native teachers when the missionary is not present. Regular religious services are held every Sabbath at Walkerston and at the plantations in turn, and native teachers conduct these services also twice every Sabbath, when Mr. McIntyre is absent. Nearly 400 boys have been baptised since the mission began; and more than two-thirds of the whole number of boys in the district are pledged total abstainers. In the savings bank at Mackay there are 1,200 depositors, and the money lodged amounts to between 5,000*l.* and 6,000*l.*”

"The mortality amongst them is greatly and most remarkably diminished. In 1891, there were 3,000 boys and 154 deaths; in 1892, 2,500 boys and 104 deaths; in 1893, 2,500 boys and 74 deaths; in 1894, in nine months, 2,000 boys and 38 deaths; so the mortality in four years is diminished to one-half. The greatest mortality is amongst new chums not quite acclimatised, and in those attacked by an epidemic. My chief object in visiting this district was to get support for a mission from the farmers. The few planters subscribe liberally; but the farmers, nearly 300 in number, and employing nearly 1,200 boys, though getting some benefit from our mission, are doing nothing for its support. There are four branches of the newly-formed Pioneer River Farmers' Association. I wrote to the secretaries of each branch, arranging to be present at their monthly meetings. At one of these I could not attend, but it did not matter much, as they employed few boys, men not reached by our mission, and resolved to do nothing to help us. Another of these branches I could not arrange to meet; but I have since written to a few of the leading farmers, and hope they will fall in with our scheme. With the third branch, at Habana, I was very successful. The farmers all promised to subscribe, and the planters in the district agreed to act as collectors. With the fourth branch, at Homebush, I was fairly successful. Most promised to fall in with my scheme and take up the matter. These are the two principal branches. The planters, besides agreeing to give their own former contributions, are willing to do what they can in helping on our scheme. One planter not only agreed to act as collector amongst his farmers, but guaranteed they would give 2s. a head yearly for each boy employed, and said, till they were able to pay it, he would pay it himself, in addition to his own subscription. I was pleased with the results of my visit as a whole. I found continued prosperity and growing progress, mentally, morally, and spiritually amongst the boys. I found increased cordiality amongst the planters to the mission, as shown in their building mission halls on most of their plantations. I found a growing desire on the part of planters' wives and others to teach and benefit the boys in their district by week-night schools, and even Sabbath services. Foremost amongst these stands Mrs. Donaldson, of Sandiford, whose husband built a hall (which the boys are going to rebuild at the cost of 70/., subscribed by themselves), and who teaches the boys on week-nights twice a week, and holds a regular Sabbath service with them, the numbers present varying from 70 to 120. The whole efforts are beyond all praise, and are beginning to imbue others with a like spirit. I hope, and indeed believe, the object designed by our visit will be accomplished. If the farmers would generally give a small sum yearly for each boy employed, we should get enough, along with the subscriptions of the planters, to establish an assistant missionary on the north side of the Pioneer River."

Mr. Smith also said his statistics could be relied upon, having been obtained from the Polynesian Inspector.

The Rev. D. F. Mitchell also gave a very interesting description of his visit to the Mackay Mission, referring especially to the good work the Kanakas were doing in the night schools.

No. 75.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received December 4, 1894.)

Government House, Brisbane,

October 26, 1894.

MY LORD MARQUESS,

I do myself the honour to submit herewith, for your Lordship's information, copy of a Despatch which I have received from his Excellency the High Commissioner of the Western Pacific, covering a communication received by him from the Rev. Fred. J. Paton, of the New Hebrides Presbyterian Mission, alleging certain irregularities to have been committed by Captain Spence of the Queensland labour vessel "Rio Loge."

2. I requested the Chief Secretary of Queensland to cause full inquiries to be made relative to these supposed irregularities, and I now enclose copy of a letter received from Mr. Nelson on the subject, also a report from the Immigration Agent, which deals fully with the complaints made by the Rev. Fred. J. Paton.

3. I have forwarded a copy of the Chief Secretary's letter and enclosure to the High Commissioner.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 75.

High Commissioner's Office, Western Pacific,
Suva, Fiji, July 14, 1894.

SIR,

I HAVE the honour to forward herewith, for the information of your Excellency, copy of a communication I have received from the Rev. Fred. J. Paton, of the New Hebrides Presbyterian Mission, alleging certain irregularities to have been committed by Captain Spence of the Queensland labour vessel "Rio Loge."

I have, &c.

(Received unsigned.—H. W. N.)

His Excellency
General Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor of Queensland.

Pangkumu, Malekula, New Hebrides,
June 2, 1894.

YOUR EXCELLENCY,

I HAVE the honour to bring under your notice two breaches of the labour traffic laws by Captain Spence, commander of a ship with some such name as the "Rio Loge."

On Saturday, 20th January 1894, Captain Spence put on shore at Rukumbu, Malekula, 3½ or 4 miles from Pangkumu, a "return" named "Rous," a Native of Lambumbu, a place on the other side of Malekula, between Espiegle Bay and South-west Bay.

Captain Spence alleged to Rous that the wind was unfavourable to land him at Lambumbu, though he was going north at the time. Had the excuse been true, he could have landed him at the Pangkumu Mission Station, or given me notice, which he did not, though he landed "returns" within two-thirds of a mile of Pangkumu passage.

The above facts can be verified by any man-of-war.

I traced the native Rous to Brillions Bay, where he worked for Monsieur Brulon. Being frightened by the Natives he fled for his life to Uripiv, an island near Port Stanley, Malekula, losing his box and all his goods. He then crossed over to Malekula, trying to reach home overland. I do not know whether he reached home.

I have also to report that on or about Monday 22nd January, Captain Spence and his Government Agent recruited a man and a woman at a passage about six or seven miles from Pangkumu, either at Onua or Brillon's Bay.

The woman was not the wife of the man with whom she recruited. Both man and woman had been to Queensland before. The man who recruited was named Tom, or Siming-gare or Toomti, and the name of the woman not his wife who recruited with him was Resangir or Mangke.

I would humbly bring before your notice the fact that I have never known or heard of any one knowing a woman who recruited from Malekula with her husband's and her friends' consent. I would therefore petition that the recruiting of women may be forbidden from Malekula and the small islands adjacent, owing to the fact that women recruited from these islands are, as a rule, recruited illegally.

I am, &c.

Sir J. B. Thurston,
High Commissioner.

FRED. J. PATON.

Enclosure 2 in No. 75.

Chief Secretary's Office, Brisbane,
October 23, 1894.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a Despatch from the High Commissioner of the Western Pacific (unsigned), dated the 14th July last, forwarding copy of a communication received by his Excellency from the Rev. F. J. Paton, respecting certain irregularities alleged to have been committed by Captain Spence, of the Pacific Island labour vessel "Rio Loge," in January 1894.

I now enclose for your Excellency's information copies of a report received from the officer in charge of the Pacific Island Immigration Department dealing with

- (1) the landing at Rukumbu, Mallicolo, on the 20th January 1894 of an Islander, named "Rous," at a passage other than his own; and

(2.) the recruiting at Onua, or Brillou's Bay, of a man called "Tomti," with a woman named "Resangir," who was not his wife and to inform your Excellency that the Government Agent of the "Rio Loge" appears to me to have acted for the best in regard to the landing of "Rous"; but that his discretion in permitting the woman "Resangir" to be recruited is open to question, as, although she seems to have been generally regarded as Tomti's wife, the consent of the Chief of the district from which she was brought was not obtained, and Mr. Shepherd has been cautioned to be more careful in future in his observance of the provisions of clause 32 of the regulations under "The Pacific Island Labourers Acts, 1880-92."

I have, &c.

His Excellency,
General Sir Henry W. Norman, G.C.B.,
&c. &c. Governor.

HUGH M. NELSON.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
October 9, 1894.

SIR,

REFERRING to the accompanying Despatch from his Excellency the High Commissioner of the Western Pacific, dated the 14th July 1894, addressed to his Excellency General Sir Henry Norman, G.C.B., Governor of Queensland, I have the honour to report as follows:—

The Despatch contains two complaints by the Rev. F. J. Paton, of Pangkumu, Mallicolo, against the master, William Spence, and the Government Agent, David Shepherd, of the labour vessel "Rio Loge."

1st. On Saturday, 20th January 1894, captain Spence put on shore at Rukumbu, Mallicolo, an Islander named Rous at a passage other than his own, whereby Rous was in danger of his life and lost his box, &c.

2nd. On the 22nd January 1894, captain Spence and the Government Agent recruited at Onua, or Brillou's Bay, a man named Tom, or Siming-gare, or Toomti, with a woman named Resangir, or Mangke, who was not his wife.

With reference to the first case, the Government Agent, whose statement is attached, assures me that it was impossible, owing to stress of weather, to lower the boats or bring the ship near Narvaloo, the place marked on the passenger list as "Rous" passage. "Rous" *would not* be landed at Pangkumu Mission Station, choosing to go ashore at Roombo, where he said "he was all right" and "not frightened."

Mr. Shepherd should certainly have specially logged the particulars of the landing, which he has not done. I am surprised at this, from the careful manner in which he has kept his log book. Captain Spence says that he told "Rous" that if he got a favourable chance he would go back and land him at his proper place, but afterwards Rous asked to be landed at Roombo with other returns, which request was acceded to after consultation between the captain and Government Agent, who apparently acted with some caution.

The recruiter, George Hicks, says that he remembers when the ship went round to South-west Bay that a very heavy sea set in from the west, which rendered it impossible to land upon the coast. His evidence tends to verify a conversation said to have taken place between the captain and Government Agent as to the advisability of "Rous" landing with the Roombo boys, and relates how the Government Agent decided to be guided, in allowing "Rous" to land, by what he saw when they reached the beach. This was apparently satisfactory, for "Rous" appeared to be at home amongst the Islanders who met the boats, showed no hesitation or fear, and evinced no desire to return to the ship in the boat. I beg to draw your attention to the fact that Mr. Paton, although he says he traced Rous from Brillou's Bay to Uripiv and thence to Mallicolo, does not know "*whether he reached his home*"; therefore I conclude he cannot have obtained any information direct from "Rous" as to what actually occurred, and it would be well to know exactly from whom he gleaned the facts he has supplied to the High Commissioner. I remember Mr. Shepherd telling me that he landed some returns at Mr. Paton's place during the voyage referred to, and he endeavoured to ascertain from Mr. Paton that all was well regarding them. He, however, received scant courtesy from the reverend gentleman, who apparently took no interest in the matter. I am quite satisfied that, whatever the result may have been to "Rous," the Government Agent, Mr. Shepherd, was honestly of opinion that the boy was safe when he left him on the beach, or he would not have done so.

In the second case, the history of the woman, according to evidence obtained from the Islanders themselves, when the "Rio Loge" was away upon her second voyage, and no one on board of her knew of either of these complaints, is as follows :—

Resanger or Mangke, also answers to the name Say-saw-kish or Riss-an-gass, was first married at Mallicolo to a man who died. On the 15th September 1885 she was recruited by the "Young Dick" with a man called Sinningweeroo, who returned home in the "Ariel" in April 1889, leaving Resangass behind in the Colony with a child. Resangass then took up with Tomti (the man she is now recruited with), and lived with him for two years. She then leaves him, and cohabits for one year with an Islander called "Oombooruck," and in April 1893 goes home in the "Ariel" with "Oombooruck," Tomti returning in the same ship.

On the 20th January 1894 Tomti and Resangass are recruited as man and wife by the "Rio Loge," and nearly five months afterwards Mr. Paton writes to say that the woman was not the wife of the man with whom she recruited. This recruiting took place six or seven miles from where Mr. Paton lives, yet it took nearly five months for the news to reach him, and I notice he does not attempt to say to whom the woman properly belonged or was married to when she left the island.

The woman herself says that she returned to her home by the "Ariel," she left "Oombooruck," and had no husband.

Tomti corroborates the story of leaving "Oombooruck," but says that she afterwards, when at the island, *slept with an old man*. From the distinction used in referring to this domestic arrangement, compared with the manner in which this same Islander speaks of the husband who died, I infer that all "Resangass's" marriages except the first were of an irregular nature. The woman appears to me to belong to Tomti as much as to anyone else, but I do not think that sufficient attention was paid to Regulation No. 32, which says :—

"A woman is not to be recruited unless accompanied by her husband, *nor without the consent of the Chief* of the island or of the village or district from which she is brought."

The recruiting of women is a general source of anxiety to all the Government Agents; as long as it goes on, so long will these complaints arise, and, no matter how blameless the Government Agent may be, the result will prove unsatisfactory to him and the Departments.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

No. 76.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received December 4, 1894.)

Government House, Brisbane,
October 26, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 20th June last,* in which I forwarded for your information copies of certain documents respecting the labour vessel "Rio Loge," I have now the honour to transmit a copy of a report, which has been furnished by the Immigration Department, respecting her recent voyage.

2. I have forwarded for the information of his Excellency the Naval Commander-in-Chief copy of Appendix A., also to his Excellency the High Commissioner of the Western Pacific, with a copy of Mr. Shepherd's letter, drawing their attention to the statements made therein.

I have, &c.

H. W. NORMAN.

* Not printed.

Enclosure in No. 76.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
October 10, 1894.

SIR,

I HAVE the honour to report the arrival of the labour vessel "Rio Loge," at Bundaberg on the 22nd ultimo.

The ship was certified to have had sufficient accommodation for 150 Islanders, and licenses were granted to enable the master to recruit that number for 10 plantations in the Bundaberg and two in the Maryborough districts.

Mr. William Spence was the master and Mr. David Shepherd the Government Agent.

The vessel left Burnett Heads on the 3rd June last, with 52 returning Islanders on board, and arrived at Tanna on the 14th June.

All the returning Islanders, with the exception of 46 (Tari), who died on the 24th June, and was buried at sea, and 44 (Soobah), who was returned to Queensland, as the ship did not visit the Solomon group, were landed at their proper villages or passages.

Recruiting was commenced at Tanna on the 15th June, and was prosecuted throughout the New Hebrides group, and the Banks, and Torres groups, finishing at North Torres on the 11th September, having occupied 88 days, during which period 101 recruits were obtained, but owing to deaths, &c. only 94 were landed in Queensland, 86 males and eight females from the under-mentioned islands:—

Islands.	Males.	Females.
Tanna - - - - -	4	—
Nguna - - - - -	10	—
Tongoa - - - - -	4	—
Api - - - - -	30	1
Mallicolo - - - - -	4	1
Pentecost - - - - -	12	1
Aoba - - - - -	7	2
Mivo - - - - -	5	—
Vanna Lava - - - - -	3	1
Lacon - - - - -	1	—
North Torres - - - - -	6	2

While recruiting at Tanna the recruiter's boat was swamped, and one of the boat's crew (Wonara) had his leg broken, and died at the Mission Station on the same day (15th June); two savings-bank books he is said to have had have been found in the possession of his son (Wonbacha) who is now in Bundaberg, (one of them being closed).

Recruit No. 14 died of heart disease on the 4th July, and Nos. 4, 28, 33, and 47 died from dysentery, which disease, the Government Agent reports, was brought on board at Api, where many were suffering from it.

While at Buka Buka the Natives fired on the ship, and attached hereto is an extract from the Government Agent's log in connection with the matter (Appendix A.).

I also attach a report received from the Government Agent referring to the abduction of two Islanders by Mr. Milne, the missionary at Nguna, on the 27th June.

Herewith is forwarded a tracing showing the ship's course and the places where recruits were obtained.

The Government Agent reports that great care was bestowed on the Islanders by the master and officers of the ship, and that the recruiter performed his duties in a very efficient manner.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Officer-in-Charge.

EXTRACT from the GOVERNMENT AGENT'S LOG, ship "Rio Loge," page 58.

Tuesday, September 4th, 1894.—While the boats were away along shore between 1.0 to 4.0 p.m., the Natives who sold the food got to the top of the cliffs and fired at the ship, one of the bullets passed through the rigging and awning over the poop, and split a

chair. The fire was not returned. This is the fifth or sixth time the same tribe has fired at ships without being chastised. The ringleader, "Charley," boasts of his good shooting. I think a man-of-war should be sent to chastise them.

* * * * *

Brig "Rio Loge," Nguna,
June 27, 1894.

SIR,

I FEEL it my duty to forward by first opportunity minutes of an interview with Mr. Milne, the missionary at Nguna, which took place on board the ship this morning, and trust that he will be called upon to explain his insulting conduct towards me, and also his statement regarding the wish of the Government that certain regulations should not be made known. He contradicted himself and prevaricated to no end.

I would respectfully draw special attention to his statements with regard to one boy (No. 6) being under agreement to him, and his letter, in which he gives as his reason, that the boy has changed his mind (and not on account of his being under agreement) and did not wish to go to Queensland at present.

Mr. Milne never spoke to me of the second boy, but surreptitiously abducted two boys into his own boat.

The boys from Nguna were most anxious to recruit, and required no inducement. I feel bound to express my pleasure at the very great care on the part of the recruiter in performing his duty.

The Immigration Agent,
Brisbane.

I have, &c.
D. SHEPHERD,
Government Agent.

Brig, "Rio Loge," Nguna, Undine Bay,
June 27, 1894, 7.30 a.m.

Present :

Mr. Milne, missionary.
D. Shepherd, Government Agent.
Wm. Spence, master.

Mr. Shepherd : Did you wish to speak to me, Mr. Milne ?

Mr. Milne : Yes, I do. I came to tell you that a boy (No. 6) has been illegally recruited, as he was under agreement to me for 12 months.

Mr. Shepherd : What kind of an agreement was it, Mr. Milne ?

Mr. Milne : A verbal one.

Mr. Shepherd : Then, Mr. Milne, verbal agreements are not valid ; you must be aware that all agreements must be in writing, and this boy made one with the captain yesterday. Did you see the boy recruited, Mr. Milne ?

Mr. Milne : No, I did not, but I know he was.

Mr. Shepherd : Well, I must inform you, Mr. Milne, that this boy, having been in Bundaberg before, thoroughly understood what he was doing, that before getting into the boat he asked not to go long Mr. Young, and, further, before signing him, I cross-questioned him about the agreement. At the same time asked him if he belonged to this island, and whether he was under agreement to anyone, to which he replied he was not.

Mr. Shepherd : What is the nature of the agreement, and for how long did you say it was for, Mr. Milne ?

Mr. Milne : It is not for any definite time.

Mr. Shepherd : But you said just now, Mr. Milne, that it was for 12 months, let me read what you said. How can you reconcile the two statements ?

Mr. Milne, pointing to the writing. If you were a friend and a Christian, as you profess to be, you would not put that down.

Mr. Shepherd : I have only written and read to you what you said.

Mr. Milne : The boy was my goat herd that day.

Mr. Shepherd : How could he be, Mr. Milne, when he was on the ship and signed the paper before 7 o'clock in the morning.

Mr. Milne : The boy was recruited against the regulations, and the Government, I know, do not wish certain regulations known.

Mr. Shepherd : On behalf of the Government I strongly protest against such a statement, and I will take the first opportunity of reporting you to the Government.

Mr. Milne : Well then, Mr. Shepherd, I will retract that statement.

Mr. Shepherd : You can do as you like, but I will report it all the same.

Mr. Milne : The regulations say that the Government Agent should go and ask permission of the missionary before recruiting. I have not got a copy of the regulations, but know it is so.

Mr. Shepherd : It is not so, Mr. Milne.

Mr. Milne : I know it is.

Mr. Shepherd : On what authority, Mr. Milne, did you assert that the Government did not wish certain regulations known ?

Mr. Milne : A Government Agent's.

Mr. Shepherd : What is his name ?

Mr. Milne : He did not tell me, but Mr. Landels did, and he was told by a Government Agent. The boy and his father have repented since yesterday, and he wishes to go ashore.

Mr. Shepherd : The boy has not told me so. Captain Spence, this boy has been recruited legally and to my satisfaction ; are you willing to cancel his agreement ?

Captain Spence : Certainly not, Mr. Shepherd.

Mr. Shepherd : Well, Mr. Milne, the boy cannot go. I may also tell you, Mr. Milne, that this boy, who speaks and understands English very well, brought his father to me and said, " Father belong me want to talk along you." I said what name you want to talk along, Government ? " This, my boy, want go long Queensland, and me want him " go long too, you take care him and send him long master all same other fellar " boy."

Mr. Milne then left the cabin.

On walking to the main hatch Mr. Milne gathered the Nguna boys round him, and began talking to them in their native language. The interpreter, Lewis, boats' crew, was standing close to him, and heard him tell the boys to go away in the canoes. I walked up to Mr. Milne and, pointing to an old man, said, " Is not this the boy's father, Mr. Milne ?"—" Yes, it is." Well, I said, this is the one who spoke to me, and I read to Mr. Milne what he said as above.

He replied, " You are lying."

What, I said, do you call me a liar ?—Yes, it is not true.

The bo'sun, who was standing near, turned to Mr. Milne and said, you did say so, Mr. Milne. Well, you must have misunderstood them. No, I replied, I thoroughly understand English as they spoke to me.

Mr. Milne said something to the boys in their own language, and got down into his boat, abducting another boy which he did not speak about to me along with the one in question.

The boats were leaving the ship at 10.30, when a canoe came alongside of my boat and handed me a letter from Mr. Milne, in which he stated, " they (the boys) have " changed their minds, and do not wish to go to Queensland at the present time."

No. 77.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received December 31, 1894.)

Government House, Brisbane,

November 22, 1894.

MY LORD MARQUESS,

In continuation of my Despatch of the 19th May last,* in which I forwarded for your information copies of certain documents respecting the labour vessel " Sybil," I have now the honour to transmit copy of a letter from my Chief Secretary, covering a report received from the Immigration Agent of the voyage of the " Sybil," which returned to Brisbane from Malayta, the Solomon Islands, and Guadalcanar on the 5th September last, together with copies of the Appendices therein referred to, and of the report of an inquiry held at Maryborough into a complaint made against the recruiter of the vessel by the Government Agent, and of the evidence taken thereat.

2. I desire especially to draw your Lordship's attention to paragraphs 2 and 3 of Mr. Nelson's letter herewith, which show the action taken by the Government for settling the several complaints preferred.

I have, &c.

H. W. NORMAN.

Enclosures in No. 77.

Chief Secretary's Office, Brisbane,
November 20, 1894.

SIR,

I HAVE the honour to enclose, for your Excellency's information, duplicate copies of a report received from the Immigration Agent of the voyage of the labour vessel "Sybil," which returned to Brisbane from Malayta, the Solomon Islands, and Guadalcanar on the 5th September last, together with copies of the Appendices therein referred to, and of the report of an inquiry held at Maryborough into a complaint made against the recruiter of the vessel by the Government Agent, and of the evidence taken thereat.

The transmission of these papers to your Excellency has been delayed pending the completion of this inquiry, the report of which was referred back to Mr. Brenan for the purpose of investigating certain countercharges made by the recruiter, John Tornaros, against Mr. Bowles, the Government Agent. The further investigation having confirmed the conclusions arrived at in the original report, I have approved of the recommendations made therein :—

- I. That John Tornaros be not allowed to go again in any labour vessel in the capacity of recruiter.
- II. That A. Tornaros, the owner of the "Sybil," be not again permitted to sail in the vessel as a passenger.

The charge of intoxication against Mr. Bowles investigated at the second inquiry, a copy of the report of which is also enclosed, was not sustained, but, as he apparently permitted liquor to be given to two native Chiefs, I have directed that he be cautioned against allowing spirituous liquors to be supplied under any circumstances to Pacific Islanders.

I have, &c.

HUGH NELSON.

His Excellency

Sir Henry W. Norman, G.C.B., Governor.

&c. &c. &c.

"Sybil," Voyage No. 8, arrived at Maryborough 5th September 1894.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
October 1, 1894.

SIR,

THE return of the labour ship "Sybil" to Maryborough, 5th September, affords me the honour of reporting upon her recent and 8th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 176 Islanders, and licenses were granted to enable the master to recruit that number for five (5) plantations in the Mackay district.

John Tornaros was the master and Mr. S. S. Bowles the Government Agent.

The ship left Maryborough on the 6th of May last, having no returning Islanders on board, and arrived at Guadalcanar on the 13th May.

Recruiting commenced at Malayta on the 17th May, and was prosecuted through the Solomon group, finishing at Guadalcanar on the 21st August, having occupied 97 days, during which period 95 recruits were obtained, 93 males and 2 females.

APPENDIX A.

On the 23rd of June, No. 28, Far-requah absconded.

On the 11th August, No. 83, Arloo, absconded.

On the 13th, No. 65, O. Lay, died of pneumonia.

On the 22nd August the ship took her departure from Guadalcanar, for Queensland carrying 92 recruits, who were brought from the Solomon group, and included—

11 previously employed in Queensland.			
6	"	"	Samoa.
3	"	"	Fiji.

The health officer passed all the Islanders.

With regard to Regulation 46, no money was forwarded by the "Sybil" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

On the 11th July the boats were fired on in Qui Harbour, *see* Appendix B. The party attacking, from what I can gather, were in the scrub, about twenty (20) yards distant from the recruiting boat when she reached the water's edge. Its occupants escaped unhurt, and there is no information that the Natives suffered in any way by the return fire which took place.

The Government Agent complains that the recruiter, John Tornaras, used threatening language to him on the 21st August last, which resulted in the disrating of Tornaras as recruiter and the return of the vessel to port. An inquiry into this matter was held at Maryborough, and the report and evidence taken were forwarded by me to your office on the 17th instant.

The Government Agent draws special attention, at the request of Messrs. Grace Brothers (British traders), Gera Islet, off Aola, on the north-east coast of Guadalcanar, in the Solomon group, to the fact that German traders continue to supply firearms to the Natives as trade.

I enclose herewith usual chart with the ship's course marked thereon, with index for your guidance.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

August 11th.—About 3.20 a.m. recruit No. 83, Arloo, absconded from the ship by swimming towards the shore, distance about a quarter of a mile; the starboard boat was lowered within three minutes, but we presume he reached the beach, or a reef astern of us, and ran into the bush, as nothing was seen of him. Away with the boats at 9.30 a.m. abreast of the village of Totono, returning on board at 11.5 a.m., having received the money 1*l*. back from Cocombie the Chief of the village, the recruiter did not ask for the other trade previously given. We were also advised that "Arloo" had not as yet returned to the village of Totono.

June 23rd, 1894.—During the afternoon, the master of the ship (Mr. Peter Tornaros) went away in third boat with a fowling piece to a reef near the ship, which was dry (it being low water) to shoot ducks, taking nine recruits in the boat, one of whom, No. 28, Far-re-quah (recruited at Fen on the 7th instant) escaped into the mangroves, and absconded from the ship—8 p.m. Light land breeze and fine weather.

APPENDIX B.

July 10th.—Light land breeze and fine weather. Away with the boat at 9.37 a.m., returning on board at 11.50 a.m. The Natives on the beach behaved very suspiciously, three rifles were said to have been pointed at the recruiter's boat.

July 11th.—About 11.30 a.m. as the boats were returning along the beach, the recruiter allowed his boat to be enticed into ambush, the result being we were fired on by an inland or bush tribe, to which we replied. Bomg-year, the Chief, was said to be present in person; his village Ai-tai overlooking Qui Harbour, so can be easily punished. Amongst the ringleaders (as I am informed by Gooreah, the Chief of Qui Island, who appears friendly, and by his son Owrah) are the following who belong to Bomg-year's tribe:—"Door-roo," "Sow-Sow," "Ongar," "Seenaow," and "Matteanah." Gooreah also states that there were nearly 200 hostile Natives in the bush near the boat, which they had decided to fire on with their rifles if possible, the reason given being that two Chiefs sons, recruited on a previous trip of the "Sybil," had died in Queensland.

I gave a notice to Gooreah to hand to any other labour schooners who may come into Qui Harbour to forewarn them as to the hostile attitude of the Natives. 8 p.m. Fine weather, light land breeze, temperature in the cabin this evening 85° Fah.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

October 15, 1894.

SIR,

I HAVE the honour to report having held an inquiry on the 8th and 9th instants into the following complaints in connection with the last voyage, No. 8, of the Pacific Island labour schooner "Sybil":—

1st. By the Government Agent, Mr. S. S. Bowles, against the recruiter, Mr. John Tornaros, for having on the 21st August last, while at Kowka, Guadalcanar Island, used threatening and insulting language to him while he (the Government Agent) was attempting to carry out his duties in connection with the signing-on of some recruits.

2nd. By the recruiter who reports, *vide* his letter dated the 6th September attached, marked C., that the Government Agent on the 18th July last, while the vessel was lying at Qui Harbour, Malayta, firstly, supplied two Chiefs with intoxicating liquor, secondly, that he (the Government Agent) was at the same time intoxicated.

- The Government Agent was present but did not cross-examine any witnesses. The recruiter's case was conducted by Mr. J. B. Price, his solicitor.

Examined—

Mr. S. Stillingfleet Bowles, Government Agent of "Sybil."	
Mr. Peter Tornaros, master	"
Mr. R. H. Solly, mate	"
Mr. John Tornaros, recruiter	"
Mr. Agiselaus Tornaros, a passenger	"
Mr. Thomas Barker, cook and steward	"

Referring to the first complaint, there is no denial by anyone that the recruiter threatened to "settle with Mr. Bowles" when he reached Maryborough; neither is it denied that the words were used in consequence of a request by Bowles that he and the master should have the cabin to themselves while certain recruits were being examined as to their knowledge of the agreements they were about to sign. The evidence of the Government Agent, the master, and the recruiter, disclose the fact that this was not the only trouble during the voyage. On more than one occasion any hesitation on the part of the Government Agent to pass a recruit, it is said, was regarded by the recruiter as an insult, an insinuation that he was kidnapping. There appears to have been no waiting for results, but both the recruiter and his father, A. Tornaros, criticised the Government Agent's right to go into his own work in his own way. The answer made by the recruiter to the specific complaint lodged is not a denial but an attempt to justify what he did. Practically his defence is "that he had a right to be present, therefore a right to refuse, or, at any rate, hesitate before obeying the order given through the master to "leave the cabin."

I consider that there is no question whatever of right to be present, on the part of a recruiter. His duties are confined to a recruiting boat, unless the Government Agent requires his presence elsewhere. The agreement is between the master (as agent for the intending employer) and the recruits, and it is the Government Agent's duty to satisfy himself, in the interests of the latter, as to their knowledge of what they are about to agree to. A Government Agent clearly has the right to do this in whatever manner he deems best, and in this case he did so, apparently with the consent of the master, who is the only person on the ship legally interested in that respect.

This complaint, therefore, I consider proved by the defendant himself and his witness, A. Tornaros, as well as the complainant, and the only question is: To what extent is the offence serious?

In considering this it must be remembered that a Government Agent has most responsible duties to perform and in return he should be protected. The Department can only do this by declining to allow any person to be employed upon a labour vessel who will not submit to the ruling of the officer placed on board to represent the Government, and this submission should, I contend, be prompt in its nature, and unaccompanied by threats of any sort whatever.

If the recruiter or any other officer of the ship is unduly interfered with by the Government Agent, the master is the proper person to object, and can do so by bringing the complaint forward on return to port.

This particular recruiter, John Tornaros, is in appearance a mere lad, and I question very much, on this ground alone, if he is a fit and proper person for the position he occupied in the "Sybil." The safety of the lives of some 11 or 12 persons depends very considerably upon the discretion of a recruiter every time the boats go into certain places at the Islands, and, although the matter may not appear to be in any way connected with the complaint just inquired into, the latter has been the means of bringing this person, previously unknown to me, under my observation, and I felt impelled to draw your attention to what struck me as a very important question.

The complaint or charge against the Government Agent consists of two parts. Firstly, supplying liquor to two native Chiefs. Secondly, being himself intoxicated.

There is little necessity to go into the merits of the first part. The officer in question swears it is a misrepresentation of facts—viz., that John Tornaros first suggested giving the Chiefs the liquor, and actually did so, but with his (the Government Agent's) consent. Which of them poured out the liquor is, I submit, immaterial. Mr. Bowles was guilty of a breach of the regulations—a serious one—and John Tornaros—for he took part in it—was equally guilty. He did not attempt to make known in a proper manner what had occurred to the master of the ship, though he made a particular note of it next day in his private diary (Exhibit B). In fact he had "trapped" the Government Agent, and the entry was "a card up his sleeve," to be used if necessary to himself. Exhibit A, by A. Tornaros, written in Greek, is of the same character.

Now, as to the charge of intoxication against Mr. Bowles, I may say at once that, after hearing the witnesses and judging their demeanour, I do not believe it. The evidence of the recruiter, Tornaros, Solly the mate, and A. Tornaros the passenger, if true, proves this, that an intoxicated Government Agent was allowed by them to drink rum with two Malayta Chiefs while the ship was lying at probably the most dangerous part of that very dangerous Island, there being at the time some 79 Malayta recruits in the ship. No attempt was made to stop it, and no attempt was made to call the master's attention to it, he being at the time asleep. These witnesses each say in effect, "I did not consider it was my duty to call, or even afterwards to tell, the captain," and when they say that I consider they very heavily discount the value of their statements as truly representing what actually did take place.

No one but an idiot would have allowed such a thing to go on (particularly at such a place), and neither of these men can be so classed.

Mr. Solly, certainly, when pressed, could not say that Bowles was drunk, "he had a little drink on him," but he was quite prepared to allow the statement that he was drunk to pass without correction, in the same manner as he says he permitted the alleged drinking to go on in the cabin.

I disregard Barker's evidence altogether, his discomfort when asked to give any particulars was so palpable.

In support of the charge, A. Tornaros and J. Tornaros put in Exhibits A. and B. These are leaves torn from their private diaries, which they objected to trust out of their own hands. I allowed these leaves in, as Mr. Bowles did not object, otherwise would have refused unless the whole book was tendered.

Mr. Bowles denies the charge of intoxication, and Peter Tornaros, the master, says that he "turned in" at 8.30 on the night of the 18th July; he knows nothing of the supplying of liquor to the Chiefs, except what he heard a week afterwards, but says positively that Mr. Bowles was perfectly sober at 10.35, when he (Tornaros) looked into the cabin and found him writing up his log. He heard that liquor was supplied some days after the affair happened, but only heard of the charge of intoxication at the Maryborough inquiry on the 12th September.

I did not specially inquire into the matter of interference with the Government Agent and the working of the "Sybil" by Mr. A. Tornaros, the passenger; he decided not to go any further with it. I think his own evidence upon the other subjects of inquiry will quite satisfy you that he interfered very much indeed.

When Mr. Tornaros (a master mariner) tells you that he, as owner of the "Sybil," travelling by permission as a passenger, orders the ship home, and that because the master will not obey his order the boatswain of the ship is justified in refusing to obey the orders of his captain, then I think there is no necessity to ask him any more questions. As far as I know the law, he incited mutiny.

As to the behaviour of the master, Peter Tornaros, whom it has been attempted to blame in this matter, not a word of evidence was brought against him. He simply would not allow his father to interfere, either with his own or the Government Agent's duties. That is all the Department expected of him, and he did it apparently without injuring the interests of the ship, for as far as the number of Islanders recruited goes she made a successful voyage.

I see more reasons now to confirm than to alter my previous recommendations of the 17th ultimo.

John Tornaros should certainly not go again in the trade in any capacity where his duties take him into the boats, or have any connection with the Islanders.

A. Tornaros, in common with any other owners, should not be permitted to travel as a passenger.

R. H. Solly, I think, should be called upon to show cause why he should not be severely dealt with, inasmuch as he was guilty either of gross neglect of his duty on the 18th July last, at Que Harbour, or of subsequently supporting in a reckless manner a charge against the Government Agent which, if true, would secure that officer's instant dismissal from the service.

Mr. Bowles should be censured for his conduct in supplying, or allowing to be supplied, intoxicating liquor to Pacific Islanders. I think also he should have taken some very decided action to put A. Tornaros in his proper place after the 5th June, but some allowance must be made, as it was his maiden voyage, and that he sailed on very short notice indeed. Moreover, it was feared at the time that, in the matter of family disturbances, he would have an exceedingly rough time of it.

Respecting the private characters of the principal witnesses in the inquiry, which is of importance, I submit, where contradictory evidence is given :

Mr. Bowles has been known to the Department for about ten years as one of its officers, sober and otherwise trustworthy. He is even better known, perhaps, to Captain Pennefather and the Hon. A. S. Cowley.

A. Tornaros has always been well known to the Department, except that he enjoys the reputation of possessing an exceedingly violent temper.

Peter and John Tornaros are both known to Inspector Lloyd, who for some time lived where they do, in Maryborough, and as there is some difference of opinion as to their characters I would respectfully suggest that he be asked to supply the information at his disposal for the Minister's guidance.

I have, &c.

The Principal Under Secretary.

J. O'N. BRENAN,

Officer in Charge.

Police Inspector's Office, Brisbane,

SIR,

October 17, 1894.

I HAVE the honour to inform you in reference to the Tornaros family, I have known the members of it for many years.

"Peter," now master of the "Sybil," has always borne an excellent character; his brother "Jack," recruiter on the "Sybil," had the reputation of a larrikin, was the associate of bad characters, and was once tried in Maryborough for assault and robbery, though acquitted.

The father, also known as "Captain Tornaros," bears a good character.

I have, &c.

The Commissioner of Police,
Brisbane.

SAML. J. LLOYD.

I/C Inspector.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

SIR,

September 17, 1894.

I HAVE the honour to forward herewith the report and evidence taken at an inquiry held at Maryborough on the 11th instant by the local inspector, into a complaint by the Government Agent of the "Sybil" against the recruiter John Tornaros, for having used threatening language to him on the 21st August last while lying off Guadalcanar Island, which resulted in the disrating of Tornaros as recruiter, and the return of the "Sybil" to port.

I at first decided to hold this inquiry myself, but the illness of two of my staff, and the arrival of the brig "Para" with a large shipment of recruits, compelled me to abandon that intention.

The "Sybil" is owned by Mr. A. Tornaros, and upon her recent voyage was sailed by Peter Tornaros as master, Richard Solly being mate, and John Tornaros recruiter.

The master and recruiter are sons of the owner, who was specially permitted to accompany his vessel as a passenger, being forbidden to hold any other position in the Pacific Island trade by Regulation No. 4 under the Act.

The official report of the Government Agent shows that continual friction existed between the master and his father (the passenger) and the evidence taken at the inquiry, in one instance at least, points to the fact that the recruiter and the passenger took sides against the master and Government Agent when an important question of discipline arose.

The passenger, who had no right whatever to interfere, objected to the Government Agent doing his duty by ordering an insubordinate recruiter out of the boats, and carried his point by insisting upon the ship's return rather than allow another recruiter to be appointed.

At the inquiry, no attempt whatever was made to disprove the charge against the recruiter, neither was the part said to have been played by the senior Tornaros, in any way disputed. I therefore recommend the following :

1. That John Tornaros be not allowed to go again under any circumstances as a recruiter. I think, from what I can learn, his reputation in Maryborough will bear me out in the statement that he is not a fit person for such a position in the trade.
2. That A. Tornaros the owner of the "Sybil" be not allowed to go again as a passenger in his ship.

Though formerly, when he could legally sail as such, a master favourably known to the Department, he is, I believe, a man of uncontrollable and violent temper, and to sail as passenger in a ship he had a monetary interest in without interfering with the working of her I can readily understand to be almost an impossibility.

The Government Agent complains of the use of extremely foul language in the after part of the ship, and in this respect he does not exclude any of the officers, even the mate.

I do not know to what extent you consider the Department can interfere in such a case, but submit that the continued indulgence in filthy language to or in the presence of a Government Agent when that officer has once expressed his disapproval of it, is in itself an act of insubordination, and if a master is unable to control himself and his officers in this respect, under ordinary circumstances, he is unfit for the position he occupies.

At the conclusion of the Maryborough inquiry, the recruiter Tornaros handed in the following letter, reporting the Government Agent for supplying two Chiefs at Malayta with liquor, and with being himself intoxicated.

I attach Mr. Bowles's version of the affair, which I am inclined to accept, also a statement by the master of the "Sybil," but if you consider an inquiry necessary, will be glad of the opportunity of obtaining more complete information as to the state of affairs existing on the "Sybil" which is not, I understand, as fully disclosed as it might be by the evidence already taken ; extracts of Government Agent's log and report are attached.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN.
Immigration Agent.

EXTRACT FROM GOVERNMENT AGENT'S LOG, Labour Schooner "Sybil," Voyage No: 8.

5th June 1894.—After breakfast, about 8.45 a.m., a hot argument arose between the master of the ship and his father (Mr. A. Tornaros) as to arming the native boat's crew (when in the boats) with firearms (Saider carbines), the latter having interfered with his son's (the master's) orders. The recruiter appeared to side with his father, declining to do any more work. After about a quarter of an hour's warm discussion they decided to put back to Queensland, not being able to work together. The awning was taken down, the trade and firearms removed from the boats and the anchor hove short ; however, officially, I saw no reason for taking any action.

Towards evening it was decided to continue the recruiting.

12th August 1894.—Just before lunch I had occasion to speak to the recruiter, who was pointing his Winchester rifle, as if at some recruits on the main deck, from the starboard side of the poop, his reply being, "It was not loaded." Mr. A. Tornaros (his father) who had come on board at 6.0 p.m. out of the starboard boat, which had been watering, I also had occasion to speak to about the same thing, as he twice pointed his rifle towards some recruits on the main deck from the port side of the poop; he said it was locked; on my informing him that accidents frequently occur through playing with firearms, he made a remark in a sneering tone that I wanted to show my authority, and then went below into the cabin.

14th August.—About 7.0 p.m. the recruiter took the port boat away with the boat's crew, to visit a small trader at anchor about a mile off to the eastward of our anchorage, without asking my permission (such behaviour can only be condemned, as I have no proof that he did not take his crew on shore) more discipline being highly desirable.

16th August.—After breakfast I had to complain to the master of the "Sybil" about the disgusting language used by the mate at the breakfast table, also of a most insulting reply made by him to me yesterday; I informed the master that, if such language continues, I will neither sit down to table nor will I permit the mate to steer the covering boat.

18th August.—Away with the boats at 8.57 a.m., landing the master of the "Sybil" at Gera Islet, with a few recruits, to bring back the third boat, which had been painted ashore yesterday, where our recruiter openly made an offer to one, Portuguese Joe (Emmanuel Joseph), in my presence, owner of a small trader, the "Elua" who resides at Gera Islet, Aola, who had just landed on the beach from his dingey, to "give him 2*l.* per head for niggers," but received the reply from him that he did not sell boys.

21st August.—About 7.15 p.m., when signifying to the master of the "Sybil" that it would be preferable to have the cabin to ourselves when explaining to the eight recruits (through the interpreters) the nature of their agreements, on the master telling the recruiter to go up on deck, the recruiter threatened as to what he would do to me as soon as we got on the wharf in Maryborough (also mentioning Brisbane), saying that I had insulted him. His father (Mr. A. Tornaros) also joined in, and was apparently much offended, though I am unable to see why.

COPY of a Letter handed to the Master of the "Sybil."

Labour Schooner "Sybil,"

Kowka Bay, Guadalcanar Island,

SIR, Tuesday, 21st August, 8.30 p.m.

In consequence of the recruiter, John Tornaros, having made use of threatening and insulting language towards to me, in your presence, in the cabin this evening (about 7.20 p.m.), and having been backed up by his father, Mr. A. Tornaros (a passenger in this ship), I have the honour to request that you will appoint another recruiter, *vide* clause 34 of the regulations.

I have, &c.

Mr. Peter Tornaros,
Master,
Labour Schooner "Sybil."

S. STILLINGFLEET BOWLES,
Government Agent, Labour Schooner "Sybil."

REPLY to Letter.

"Sybil," Kowka Bay, Guadalcanar,
Tuesday, August 21, 9.0 p.m.

SIR, I BEG to acknowledge the receipt of your letter of to-night, and under the circumstances I will appoint another recruiter in place of my brother. I am sorry that such a disturbance happened so near the end of the voyage, without any just provocation.

I beg, &c.

Mr. S. S. Bowles,
Government Agent, "Sybil."

PETER TORNAROS,
Master, "Sybil."

22nd August.—The master told me that he had spoken to the recruiter last night asking him to apologise to me, who, after being spoken to by his father, declined to do so, and further, I was informed by the master that it had been decided by the owner of the “Sybil,” to return to Queensland.

EXTRACT from the GOVERNMENT AGENT'S REPORT, Labour Schooner “Sybil.”

THE general behaviour of the crew (forward) has been quite exemplary, but I regret to add of the language of those aft (who should show a good example) that they possess a Blackwall vocabulary of unrivalled opulence, which they use in no sparing manner on every possible occasion. The master, however, has readily responded to all the requests I have made of him during the voyage, except in moderating his language.

PROCEEDINGS of an Inquiry into certain Charges, made by Mr. S. S. Bowles, late Government Agent, Schooner “Sybil,” against the Recruiter of same Vessel, Mr. John Tornaros, held at Maryborough, 11th September 1894.

Mr. Sholto Stillingfleet Bowles, being duly sworn, states :—Was Government Agent on board the schooner “Sybil” during her last voyage. I know the recruiter John Tornaros. I remember the evening of the 21st August last about a quarter past seven. I was about to explain the nature of the agreements to some eight would-be recruits; this was down in the cabin with the master of the “Sybil,” Mr. P. Tornaros. Mr. A. Tornaros, who was a passenger on board, also his son, John Tornaros, the recruiter, being present. There was occasion for the services of interpreters, when, noticing the recruiter looking rather hard towards the interpreters and recruit, there being one recruit at the time, the recruiter made the observation “‘Goley’ will do.” Mr. A. Tornaros was sitting at the table and his son Peter Tornaros, the master of the “Sybil,” was sitting on the opposite side the table, the recruiter sitting on the medicine chest, immediately behind his father. Noticing that the recruiter was eyeing the boys, and knowing how timid they are sometimes, I made the observation to the master, “I say, captain, don’t you think that it will be just as well for us to have the cabin to ourselves for a little while, so as I can explain the nature of the agreements without any interruption.” Mr. A. Tornaros, who was sitting at the end of the table, said “I suppose you want the cabin to yourselves.” I acquiesced by nodding my head; he closed the book he had open in front of him, I concluded, with the idea of going on deck. At that moment the master of the “Sybil” turned round to his brother, the recruiter, saying, “Now then, up on deck,” getting up from his seat to enforce his order, and check the recruiter, who had turned round at the foot of the stairs, saying to me, “You have insulted me, I will let you know what I will do to you when we get on the wharf at Maryborough and in Brisbane; you have insulted me two or three times to-day,” referring to my having called an interpreter from the stern to the bow of the recruiter’s boat, in order to ascertain that two recruits were coming to Queensland of their own free will. The recruiter then went on deck, as also his father and brother, the master of the ship. I remained in the cabin with the recruit and interpreters, waiting for the master to return, and I was surprised to hear Mr. A. Tornaros say to his son, the master of the “Sybil,” “Why do you always side with that bloody man?” the master replied, “Because he is right.” There was some other conversation on deck which I did not hear. The master then came down into the cabin, and after I had explained the nature of the agreement, and the master had informed them what clothing, rations, and wages they were to receive in Queensland, and served out to them blankets and clothing, they then left the cabin. Immediately after, Mr. A. Tornaros returned to the cabin and took his usual seat at the end of the table, opening his note book, when I offered to give him the list of the names of the eight recruits, when he said, “No, I will not take the list from you,” turning round to his son, the master of the vessel, he said, “Peter, read out the names from your list.” The master of the vessel then went upon deck, when Mr. A. Tornaros then spoke to me in an insulting way, saying, “You are like a cat, you put on too much side,” and inferring that it would take very little to cause open violence between us, and said, “Don’t speak to me again during the voyage.” In reply I said, “I am sure I never intended to hurt anyone’s feelings, or insult anyone on board this ship; if you think I have insulted you, I beg to apologise now.”

I had an occasion to write to the master of the ship in consequence of the threatening language made use of by the recruiter, and asking him to appoint another recruiter. I

told the captain that if his brother liked to apologise I would accept the apology, and go on with the recruiting.

S. STILLINGFLEET BOWLES,
Government Agent.

Taken and sworn before me this 11th day of September 1894, at Maryborough.

T. B. SMYTH, J.P.,
Inspector Pacific Islanders.

Peter Tornaros, being duly sworn, states:—I was master of the "Sybil" during last voyage. I remember the 21st of August. I remember being in the cabin on that evening for the purpose of explaining the nature of the agreements to eight recruits. That evening we were signing eight recruits on, and, just as we started, my brother passed a remark about one of the interpreters, saying, "'Poley' could speak by himself." The Government Agent then said to me, "Would it not be better to have the cabin to ourselves while signing these boys on?" Father was present at the time. I then asked the recruiter to leave the cabin, which he did. He complained at being insulted on the beach two or three times that day, and that he would have it out with him as soon as he got him on the wharf at Maryborough and Brisbane as well. I ordered him on deck. He said he would go, but he would like to see the man who would put him on deck. I got an official letter from the Government Agent, asking me to appoint another recruiter in his stead, through the recruiter using threatening language to him. I replied to the letter. Subsequently I spoke to my brother, and asked him to apologise. He refused to do so. The owner then ordered the ship home sooner than appoint another recruiter.

By the recruiter: The words made use of were that "'Poley' can speak the language." Mr. A. Tornaros said he would leave the cabin, though he was never requested to do so.

By recruiter: What did I say when you asked me to apologise to the Government Agent?—"I won't apologise."

By recruiter: Did the Government Agent tell you next morning that if there was any recruits ready down where the boats went to pay an interpreter, that he would let you bring them off?—I refuse to answer it.

PETER TORNAROS.

Taken and sworn before me this 11th day of September, 1894, at Maryborough.

T. B. SMYTH, J.P.
Inspector Pacific Islanders.

The recruiter, on being asked if he had any statement to make, or any witnesses to call, declined to do so, saying he did not consider it worth while.

T. B. SMYTH, J.P.,
Inspector Pacific Islanders.

SIR,

Immigration Office, Maryborough,
September 12, 1894.

I HAVE the honour to report that, in accordance with your instructions, I held an inquiry into certain charges made by Mr. S. S. Bowles, Government Agent, "Sybil," against the recruiter, Mr. J. Tornaros, of same vessel, during her last voyage to the islands. As you will see, the statement made by Mr. Bowles is almost identical with the entry in the log and report, substantiated by the evidence of the master, Mr. P. Tornaros.

The recruiter, Mr. J. Tornaros, was present during the inquiry, and when asked if he wished to make any statement, declined to do so, nor did he call any witnesses in his own defence.

A counter charge was made by the recruiter against the Government Agent for having supplied intoxicating liquor to two Chiefs, who came on board the ship at the Island of Malayta. This I declined to have anything to do with, but promised to submit it for your perusal. As there was no further evidence, I closed the inquiry.

I have, &c.

The Immigration Agent,
Brisbane.

T. B. SMYTH,
Inspector Pacific Islanders.

No. 78.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received December 31, 1894.)

Government House, Brisbane,
November 22, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 12th May last,* in which I forwarded to your Lordship copies of certain documents respecting the labour vessel "William Manson," I have now the honour to enclose, for your Lordship's information, copies of two letters, with enclosures, which I have received from my Chief Secretary, covering reports upon the late voyage of the "William Manson," which returned to Brisbane from the New Hebrides and Solomon Islands on the 18th ultimo.

2. I will again address your Lordship when I receive a further report from the Chief Secretary.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 78.

Chief Secretary's Office, Brisbane,
November 20, 1894.

SIR,

I HAVE the honour to enclose, for your Excellency's information, duplicate copies of the report of the Immigration Department upon the late voyage of the labour vessel "William Manson," which returned to Brisbane from the New Hebrides and Solomon Islands on the 18th ultimo, together with copies of the Appendices therein referred to.

With reference to the last paragraph of the Immigration Agent's report, I have the honour to inform your Excellency that inquiry is being held into certain alleged irregularities which are stated to have occurred during the voyage, and that your Excellency will be informed of the result in due course.

I have, &c.

HUGH M. NELSON.

His Excellency

Sir Henry W. Norman, G.C.B.,

&c. &c. &c.

Governor.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
November 13, 1894.

SIR,

THE return of the labour ship "William Manson" to Brisbane on the 18th ultimo affords me the honour of reporting upon her recent and 2nd voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 196 Islanders, and licenses were granted to enable the master to recruit that number for 13 plantations in the Mackay district.

Joseph Vos was the master and Mr. G. F. Olver the Government Agent.

The ship left Brisbane on the 27th of April last, having 191 returning Islanders on board, and arrived at Malayta on the 12th of May.

According to the log, all the returning Islanders were landed at their proper villages or passages with the exception of one, who was landed elsewhere at his own request (*see* Appendix A.), and the under-mentioned, who died during the passage:—

11th August, Bris., No. 6, "Wayoul," died of tumours and phthisis.

19th August, Bund., No. 43, "Towa III.," died of consumption and dysentery.

24th August, Bund., No. 51, "Bokono," died of wasting away.

Recruiting commenced at Malayta on the 17th of May last, and was prosecuted throughout the Solomon and New Hebrides groups, finishing at Sandwich on the 4th of October, having occupied 141 days, during which period 95 recruits were obtained, 88 males and 7 females; two of the recruits, Nos. 82 and 83, were returned to their island, as they objected to proceed in the vessel (Appendix B.).

On the 10th of October the ship took her departure from Sandwich for Queensland, carrying 93 recruits, who were brought from the following groups:—

Solomon	-	-	-	-	81
New Hebrides	-	-	-	-	12
Total					93

Including 29 previously employed in Queensland.

2	"	"	Fiji.
1	"	"	Samoa.

With regard to Regulation 46, no money was forwarded by the "William Manson" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The health officer passed all the Islanders. No. 88, "Skokan," subsequently injured his left eye accidentally and was sent to the hospital for treatment; he is now recovered and on his way to Mackay.

Eighty-two of the recruits were transhipped on the 23rd ultimo to the "Peregrine" steamer and proceeded to their destination. 10 recruits have been retained here pending the completion of an inquiry into certain alleged irregularities in connection with the recruiting of seven of them.

The Government Agent reports that whilst at Apie the boats were fired on by the Natives of Lamenn Island. (Appendix C.)

On the 11th of October recruit 45 "Nongootee" was missing, but was discovered hiding among the ballast on the 13th of October. (See Appendix D.)

Mr. Olver suggests that deck lights be put in the ship to light the main hold, because when the returns are on board with their boxes the place is exceedingly dark and dangerous.

I enclose herewith tracing of the course of the ship showing places where Islanders were landed and recruited.

With reference to the firing on the boats referred to in Appendix C, and also the burning of the house by the recruiter recorded in same Appendix, I am, in consequence of other circumstances connected with this vessel's voyage not yet finally dealt with, not at all satisfied and am making further inquiries the result of which I will report.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG *re* one Islander who was landed elsewhere than at his proper Village during the last Voyage of the Labour Ship "William Manson."

Name.	Proper Village.	Island.	Extract.
Brisbane. No. 20 Halive	Suckow	Santo	September 4, 1894.—Vanua Lava; two of the returns were landed here 19 "Andreece," and 20 "Halive"; the was recruited from Santo but expressed a wish to accompany "Andreece," and permission was given him to do so.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG *re* two Recruits who wish to be returned to the Shore.

September 10, 1894, Lacona.—The two recruits 82 "Oosoos," and 83 "Oomtah" having expressed a wish to be landed again, and every inducement to remain in the ship proving unavailing, instructions were given to the captain that, if they did not alter their minds

during the day, they were to be landed. The boats left the ship at 7.30, returning at 5.30. Whilst away, the captain having been unsuccessful in inducing the two recruits to go to Queensland, he landed them in his own boat at 2 p.m.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT's LOG in connexion with the Boats being fired at whilst at anchor at the Foreland, Api.

27th September 1894.—The boats left the ship at 7.30 pulling as far as Lamenu Island getting one recruit 86 "Koolooah" and on pulling out we saw a canoe waving to us and on getting close to it found it contained mostly females, one of whom "Koolooah" said was his wife, and she left the canoe and got into my boat and recruited in the name of 87, "Ooloo-monie." Seeing a smoke on the main island we pulled to it and got another recruit 88, "Skokan." We then pulled across to Lamenu again and interviewed the Chief, who assured me, through an interpreter, that we had his consent for the recruits 86 and 87 to leave, the boats getting back to the ship at 5.30.

28th September.—The boats left the ship at 8 a.m. pulling as far as Mossu's place where we had to pay for some stores with tobacco, &c., which was purchased by the captain yesterday. Here we met four Natives, two of whom stated they were brothers of the woman recruited yesterday, and that she was not the wife of "Koolooah" and that I must give her up. In order to pacify them, I ordered one boat to return to the ship for the Mary and she was brought back to where we were and I then told the four Natives that I purposed going over to the island to satisfy myself as to the correctness of their statement, at the same time asking them why the husband himself had not come, to which they did not reply; after some time they took the woman out of the boat and put her in a canoe and took her across to Lamenu; after pulling further along the coast and on getting abreast of the island the boats pulled across to it and there I saw one of the men who said he was a brother of the woman. I then told him I wanted to see the husband and was told that he was at the village, that I had better go up and see him, and I told the man I should not go there, and that I wanted also to see the Chief who had given his consent yesterday; the Native then left me going towards the village, ostensibly to bring down the husband and also the Chief. As soon as he got out of sight, several shots were fired at my boat, the recruiter's boat being a short distance away, owing to the nature of the reef just there. Hearing the shots he brought his boat as close to mine as possible and, being close to the shore, he sprang out in a very excited state and rushed towards the village. I shouted to him to come back, but I don't think he heard me, for he went on. As we were then in a comparatively safe place, I sent two of the white crew to call him back and they went and found him and he at once returned, but not before he had fired one of the houses. On the return of the three, the boats pulled out, but just as they were doing so the female "Ooloo-monie" rushed out of the scrub and into the water and sprang into my boat, and under the circumstances, I deemed it advisable to take her off to the ship and the boats at once pulled off, after which the ship came to anchor at Yemyu Cove, the "Helena" having a short time previously anchored at the same place. Whilst away in the boats seven returns landed in their own boat which they had purchased and brought out with them, they having the day before landed a large quantity of stores, galvanized iron, &c. During the evening I was requested by the captain to furnish him with a report of the affair, which I accordingly did.

APPENDIX D.

EXTRACT from the GOVERNMENT AGENT's LOG relating to missing Recruit 45 "Nongotee" whilst at Sea.

11th October.—After breakfast it was reported that one of the recruits was missing so they were all mustered and 45, "Nongotee," was not to be found. Diligent search was made in every part of the ship and every inquiry made but he was not to be found and the last that was seen of him was the recruit Frank, who slept close to him, who says he saw him come down into the hold, roll himself in his blanket and apparently go to sleep. This, from what I can gather, must have been about 8 p.m. Both holds were thoroughly cleaned out.

13th October.—About 4 p.m. 45, "Nongootee" who was reported as missing on the 11th was discovered hiding amongst the ballast, where he had gone for fear of another recruit, Sou, who had been threatening him.

Enclosure 2 in No. 78.

SIR, Chief Secretary's Office, Brisbane,
November 21, 1894.

REFERRING to my letter of the 20th instant, forwarding to your Excellency the report of a recent voyage of the labour vessel "William Manson," I have the honour to forward, for your Excellency's information, copy of a report furnished to me by the officer in charge of the Pacific Island Immigration Department of an inquiry into complaints of certain alleged irregularities which occurred during that voyage, together with the report of an independent investigation held by Mr. Caulfeild, Inspector of Pacific Islanders at Bundaberg, into the same complaints, and to inform your Excellency that these reports and the evidence on which they are based, have been submitted to the Law Officers of the Crown, with the result that the Government Agent, captain, recruiter, and certain members of the crew, of the "William Manson" have been arrested on charges connected with these complaints, and will be brought up for trial.

Any further development of this case will be duly reported to your Excellency.

I have, &c.

HUGH M. NELSON.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

RE COMPLAINTS AGAINST THE LABOUR VESSEL "WILLIAM MANSON."

SIR, Immigration Department, Brisbane,
November 12, 1894.

I HAVE the honour to report having completed my investigation of the above, and forward herewith the evidence taken therein by myself, and Mr. H. St. Geo. Caulfeild, Inspector of Pacific Islanders, Bundaberg, who has rendered very valuable assistance in the case.

After I had obtained the statements of the island witnesses, direct in the case of those who speak English, and through interpreters in that of those who cannot, Mr. Caulfeild took the latter with him to Bundaberg and there examined them through interpreters who knew nothing of the existence of the complaints until they heard them from the witnesses in their own language. This afforded every opportunity of ascertaining the truth or otherwise of what had been previously told me, especially as Mr. Caulfeild was kept in ignorance of what each witness had to say, until he found it all out for himself.

His report is enclosed, with the evidence he took attached, and I think you will find it extremely useful in dealing with the matter. In view of the assertion that the charges were "trumped up," every legitimate effort was made to see if it were possible to shake the evidence of the persons complaining. I am sorry to say, however, that this could not be affected, at any rate by either Mr. Caulfeild or myself.

That being so, I endeavoured by examination of the persons implicated, and other white evidence obtainable, to prove the truth of the charges and thus show that irregularities cannot take place on any labour vessel and escape discovery. The statements by the island witnesses are all more or less given in the broken English in which they were spoken, I will therefore state as briefly as possible the history of the "William Manson's" voyage as far as it relates to the complaints made. The ship left Brisbane upon her second recruiting voyage on 26th of April last, having on board 191 returning Islanders, including three named Amboo-Oba, Try, and Kobey, who very going to Urass, Malayta, with the intention of there forming a mission station.

Joseph Vos was master, G. T. Olver, Government Agent, A. C. Hall, mate, and M. J. Curry, recruiter.

The ship went straight to Malayta, arriving there on 12th May 1894. The landing of return Islanders then commenced, and was continued as the ship moved along the coast at various places until the 19th of the month, when, according to the log, anchor was cast for the first time in Urass passage. Quisoolia, Chief of Urrass, came aboard

here, and was acquainted by Captain Vos with the intentions of the three boys Amboo-Oba, Try, and Kobey.

Vos, it is said, urged Quisoolia not to allow them to land as they would then have to re-engage as recruits, offering the Chief a boat and a box if he would do this and also assist in obtaining recruits from the shore.

Quisoolia, as requested, told the three boys that they were not to land, that they could go back to Queensland, that when a white missionary came who would buy his ground they could come and stay with him. Quisoolia told Vos that there were no boys at his passage who wanted to go to Queensland, asking if he (Vos) wished him to steal some boys for him, to which Vos assented.

This happened on a Saturday, so the boys say (the 19th of May was on a Saturday), and that evening they signed on again as recruits, and Try and another boy named Rowvannie were engaged as boat's crews at a sum of 3*l*. for the voyage.

The next day was Sunday, and at daylight a woman named Sowkar (No. 19), (recruited, according to log and passenger list, at Lang-Lang on 31st of May) came on board and remained there.

The following day early in the morning the boats were lowered and sent ashore to recruit. In the Government Agent's boat were G. T. Olver, G.A.; Alfred Dossett, O.S.; Arthur Asalon; Try, B.C.; Rowvannie, B.C.; and Narwell Johnson, B.C. In the recruiter's boat, M. J. Curry, recruiter; Fred Nash, A.B.; Alex, B.C.; Quisoolia, the Chief, and his two men, Gwai-lassie and Cow-wah. The ship was lying, as near as I can ascertain, about three-quarters of a mile from the shore.

The recruiter's (or first) boat went right up on the beach, the Government Agent's (or watch) boat remained some 17 yards out, with the steer oar in the water touching the ground. There were some bush Natives on the beach attending the usual fish market, and Quisoolia and his two men (Gwai-lassie and Cow-wah) got out of the first boat, Quisoolia going up to a boy named Erranga, Gwai-lassie to one called Soo-quow, and Cow-wah to one named Zee-lotta. After some "talk" each seized his man and proceeded to carry him in his arms to the boat. The captured "boys" resisted and called out, and one Zee-lotta, who is described as being very strong, got his hand free and wounded Cow-wah on the arm and thigh with his tomahawk. Cow-wah was unable to manage his captive alone, and two other of Quisoolia's boys, whose names are unknown, went to his assistance, and Zee-lotta was placed in the boat. All three were held in the boat by their native captors. Nobody in either boat remonstrated, but it is alleged Quisoolia said to the Government Agent, "Government, you are not cross with me?" "Captain told me to pull boys;" and the Government Agent said, "Oh, that's all right."

A signal flag was then run up, and the captain's boat, with Hall, the mate in charge, and two Natives as boat's crew, came off from the ship and met the two boats as they came out from the beach.

All three recruits according to Try, but only one (Zee-lotta) according to Row-wannie, were transferred to Hall's boat and taken to the ship. Erranga and Soo-quow were signed on and brought to Queensland against their will, but Zee-lotta was not; he was, a couple of days after, taken ashore, because Quisoolia was afraid of his tribe. The three each belonged to different tribes living some little distance from the salt water, and, strictly speaking, are in no way under the control of Quisoolia, except that he is the master of the Urrass passage, which is their port. Zee-lotta, who was landed again, was never entered in the records of the ship, and doubtless would never have been heard of by me but for the investigation just finished.

About two days after this—I have no reliable date, for the log has been proved false—the boats went to a small island in the same passage called Attagangee.

Two women, Zoung-warra and Tow-allie, were forcibly taken here; they were both single women, and you will notice by the evidence that, as in the case of the boys Erranga and Soo-quow, they were not belonging to Quisoolia's salt water tribe. The first named (Zoung-warra), when she saw what was going to happen, ran away and took refuge in a place reserved for women only. Her pursuers, Cuilassie and Cowwah, could not follow her in there, but called the assistance of two women, who went in, caught her, and placed her in a canoe, in which she was brought to the boats. The second woman (Tow-allie) was cooking in a house; Gwai-lassie and Cowwah dragged her out, and as she came she seized hold of a post and held on until it broke. A woman she was living with, named Funghi, came to her assistance and tried to hold her, but Quisoolia picked up a club or big stick, and beat Funghi until she let go or fell down. Tow-allie was then taken to the boats, being put into the recruiter's boat first, and then passed on to the Government Agent's boat, that officer handing her in and supplying her with a piece of calico.

Again, within the next day or so, the boats went to another small island named Soolifow (?) Two trips were made to the place, and a woman taken upon each trip, named respectively Beewah and Long-Yambo, both are said to have been widows with children, but as they were landed again some two months afterwards, of course their own statements are not obtainable.

As in the case of Zeelotta, there is no mention of these women in any of the ship's records, but it has been admitted by all that they were on the ship for a long time.

The statement that they came on board and could not be re-landed because the ship drifted away, is nothing but a lie, for there is ample proof that the ship was at anchor when they came on board, to say nothing of the statements that they were forced on board, which I firmly believe to be true.

The same Chief Quisoolia and his men, Gwai-Iassie and Cowwah, were present upon these occasions, but on the second visit, instead of Fred. Nash, A.B.; A. C. Hall, the mate, was in the Government Agent's boat, and of this there can be no doubt, although he positively denies it, which I regard as a suspicious circumstance.

The witnesses examined by me, whose evidence is enclosed,* were:—

White.	Coloured.
Joseph Vos, master.	Amboo-Oba.
G. T. Olver, Government Agent.	Try.
A. C. Hall, mate.	Rowvannie.
M. J. Curry, recruiter.	Kobey.
A. Dowsett, O.B.	Attam-Cow.
F. Nash, A.B.	Erranga.
A. Absolem, O.S.	Soo-quow
John Steele, A.B.	Zoung-warra.
	Tow-Allie.
	Narwell Johnson.

Now, respecting the nature of the evidence in support of these charges—

Against Captain Vos, Try stands alone, but his statement is very clear, and he goes into details which can hardly be put down as the outcome of a Kanaka's imagination. Take, for instance, the consultation between himself, Vos, and Quisoolia in Vos's cabin, when cigars were handed round by Vos. If that is true, those two Islanders were not closeted with Vos for nothing, some business transaction was evidently going on; and Vos's denial that he had any agreement whatever with Quisoolia still more convinces me that what Try says is true, because it is distinctly proved that Quisoolia did work for the ship. There is also the locking of the captain's door, and his caution to Try not to tell anyone what had been said.

As to the kidnapping:—In the case of Erranga and Soo-quow we have the evidence of the two "boys" themselves, fully supported by Try and Rowannie, and there are again several important details supplied. When Quisoolia first got out of the boat "he spoke smart" to a Chief called Soombah (*see* Erranga's statement). Zeelotta used his tomahawk on Cowwah, cutting his arm and thigh (*see* Erranga, Soo-Quwi, Try, and Rowvannie's evidence). Also John Steele's statement, that upon the day Erranga and Soo-quow came on the ship he saw one of Quisoolia's warriors with two fresh wounds, one on the muscle of the arm, the other on the outside of the thick of the thigh.

Then there is the running up of a signal flag in the recruiter's boat, and the coming of the third boat with Hall in charge. That hardly looks like an invention. What was that third boat doing there? If the recruiting was *bonâ fide*, there was no necessity for its presence. Again, there is the landing of the boy Zeelotta. Why is the log and passenger list silent as to the arrival and departure of this boy?

The manner of Zoung-wara's and Tow-aillie's capture is related by themselves, and again Try and Row-vannie fully corroborate. There is the running of the former into the "woman's place," and her capture by women because her male pursuers could not follow her there. There is the holding on to the post until it broke by Tow-aillie, and the beating of Funghi by Quisoolia. These are all remarkable details, which do not savour of a "trumped-up yarn."

Then there is the taking of the two women Beerah and Long-Yambo, who were sent ashore again two months afterwards. Try and Rowvannie gave minute descriptions of these cases, and tell how Long-Yambo's children were taken from her at the boat. The white witness Fred Nash did not see this, but he accidentally let slip the following: "The Government Agent strictly cautioned Mr. Curry that he would have none of the "women's children taken away. I do not remember if it was on that occasion or earlier

* Not received in Colonial Office.

"or later, I remember Mr. Olver saying he would not have women's children taken from them." There is something very queer about that statement.

The native evidence throughout has been given in the most straightforward manner, and I believe it to be true. The white evidence, excepting Steele's (and he was not in a position to know much of what went on in the boats) was most unsatisfactory. By means of the information gained through the Islanders I was able to prove the Government Agent's log and passenger list to be false and unreliable, and Mr. Olver was at last obliged to admit that it was so. The mate's log is the same as regards the recruiting, for it is a copy of the Government Agent's. Captain Vos, and Curry the recruiter, the two men most interested in the success of the voyage, if you believe what they say, are utterly ignorant of their business—they know nothing, or they forget everything, their memories are a perfect blank regarding special circumstances. During eight days at Urass, according to the list, seven recruits were obtained from the shore, new-chums, or fresh people (in reality there were about 12) and Captain Vos and Curry asked me to believe that they cannot remember anything about them. A recruit comes on or is brought on board, if he remains it is a gain, if he goes away it is a loss to the ship of 20% or so, and that all circumstances connected with such a case are not vividly impressed upon the minds of such men as the master-owner and the recruiter, is too ridiculous to believe. Vos was too cunning to exhibit any uneasiness while being examined, but the demeanour of Curry, Hall, Dowsett, Nash, and Absolem was very noticeable indeed. Each of them gave the impression that there was something which it was very necessary to hide, which they might be the means of exposing at any moment, if not extremely cautious.

I feel perfectly certain that these charges of kidnapping are true. The less serious irregularities, carrying of women not on the passenger list and unmarried, falsifying the log, &c. I need now hardly refer to, more than by saying they are completely proved, in fact admitted. Mr. Caulfeild's report, herewith, is entirely based upon evidence taken by himself, but you will find that he holds quite as strong an opinion as I do as to the truth of the charges made.

This case has taken a very long time to complete, but it was of too serious a nature to hurry through, and I can assure you no time has been unnecessarily lost.

I have, &c.

The Principal Under Secretary.

J. O. N. BRENNAN,
Officer in Charge of Pacific Island Labour.

SIR, Brisbane, November 9, 1894.

I HAVE the honour to advise as follows:—

In accordance with your instructions under date 30th ultimo, I examined eight (8) Pacific Islanders lately arrived by the "William Manson," of these I took six (6) to Bundaberg and examined them there by the aid of an interpreter not conversant with the case in any of its particulars; on my return here I further examined two (2) more who had remained behind.

The names, in the order of their examination, are No. 1 To-allie, F.; No. 2 Erringa; No. 3 Soo-quow; No. 4 Zoungarra, F.; No. 5 Whymammo, F.; No. 6 Rowvemie, Willy; No. 7 Amboo-oba, Peter; No. 8 Try Billy.

For the purpose of easy reference, the lines of evidence carry a serial number, and will be used as follows—No. VIII., line No. 880-1 (being evidence Try Billy), lines beginning "ship" ending "straight.")

I have in the main confined my inquiries to the charges of abduction as made by Nos. 1, 2, 3, 4. No. 5 Whymammo, F. is a female who, according to official papers, was recruited on August 13th, yet she was without doubt on board from about the latter part of May, and accompanied the ship on the trip through the Solomon group. No. 6, Rowvemie (Willy) worked in the covering boat (watch boat) during the returning and recruiting of Islanders, he left here in the ship with the intent of landing, but at sea changed his mind; he is an important witness.

No. 7, Amboo-oba (Peter), is one of three returns who allege that captain Vos prevented their landing, he makes an important statement, No. vii., lines 870-75, result of a conversation with "Quisoolia," Chief of Urassie, on this point.

No. 8, Try (Billy) worked in the covering boat during the returning and recruiting of Islanders, and is the second of the three (3) who allege that their landing was prevented by the collusion of Captain Joseph Vos and Quisoolia; this witness is the most important.

At the end of April last, the "William Manson," Captain Joseph Vos, Government Agent G. T. Olver, recruiter M. J. Curry, left Brisbane with returns including some for Malayta. A passage was made for that island, and after landing a few returns along that coast the ship reached Urassie, a place on the north-east side of Malayta, under the control of a salt water Chief named Quisoolia, a well known Chief; after taking some soundings from the launch in the company of Quisoolia, the captain returned with him to the ship and came to an anchor off "Urassie," where the ship remained for several days, not far off Attagegee, the island upon which the Chief resides.

Captain Vos enters into compact with Chief:—

See No. VIII., lines 907–29.

As to date of alleged abductions:—

Most probably commencing Monday 21st May, the log recording the recruiting on that date of "Erringa" and "Sooquow."

Names in their order of abduction:—

Erringa (male), Sooquow (male), Zeelotta (male), afterwards landed, Zoungarra (female), Toalliee (female), Beerah (female), Longyambo (female), both the latter afterwards re-landed, having remained many weeks on board.

Statements of those abducted:—

Erringa states that he came down from the bush to attend a market with his countrymen, and whilst waiting about on the sand saw the "William Manson's" boats come ashore with Quisoolia, the Chief of Attagegee in one of the boats, heard "Quisoolia" say "all ready" and then found himself clasped round the body by Quisoolia, who carried him off to the recruiter's boat. His statements are supported by No. III., lines 289, 310; *also* by No. VI., lines 611, 614–5; *also* by No. VIII., lines 951–7.

Sooquow states that he came from bush to attend market, that he with others watched the "William Manson's" boats rowing or approaching the shore, that he saw Quisoolia, Chief, and Cowar and Qualassie (all of whom he knew well) get out of boats, that he heard Quisoolia say "all ready" and found himself seized by Qualassie before he could use a short snider he held in his hand; his two feet did not touch ground, *see* lines 296–9; in lines 312–6 he gives reasons why his people did not assist him. His statements are supported by Erringa, No. II., lines 143–4, *also* by No. VI., lines 612, 616–7; *also* by No. VIII., lines 952, 958.

Zoungarra, female, states that she was on a visit to some countrymen at the salt water, she saw the "William Manson" off the shore, and the boats, two, come off; she was cooking in the house; a child (of that place) ran up to tell her that two boats had come for her, she ran away and two men chased her, she took refuge in female inclosure, and two women under orders (lines 414–8, No. IV.), pulled her out, she was placed in canoe and taken round headland to boats.

Her statements are supported by No. VI., lines 652–65, *also* by No. VIII., line 987–1005.

Toalliee, female, states that Quisoolia is her Chief, but that she lives in the bush, she was at salt water on a visit to some countrymen, that she saw the ship "William Manson" about one mile off the shore; two boats came off, the Government Agent in one (describes his long moustaches), she was in the house cooking, when two men, Cowar and Qualassie, came up, she did not suspect anything (*see* line 24), until they seized her, she then resisted and catching hold of a post to house it broke, a woman there, "Honghi," then tried to help, when the Chief Quisoolia struck her a blow and knocked her down she let go of Toalliee, who was then pulled on board the boat.

Her statements are supported by No. IV., lines 426–39, (Zoungarra F. who had just been put in the boat), *also* by No. VI., lines 665–95, *also* by No. VIII., lines 1005–27.

Evidence as to abduction Zeelotta M., Beerah F., and Longyambo F., afterwards re-landed:—

No. II., lines 144–5, 160–6	-	-	} Abduction of Zeelotta.
No. III., lines 317–32	-	-	
No. VI., lines 513, 618–31	-	-	
No. VIII., lines 953–6, 960–5	-	-	} Abduction of Beerah, F.
No. VI., lines 709–23	-	-	
No. VIII., lines 1034–9	-	-	
No. VI., lines 728–52	-	-	} Abduction of Longyambo, F.
No. VIII., lines 1043–63	-	-	

As to order of abductions :—

It appears by the evidence that the three men, Erringa, Sooquow, and Zeelotta, were taken on the morning of the same day that Zoungarra and Toalliee the two females were, the latter being in the afternoon; on this point of time compare evidence, No. IV., lines 402-4, with that of No. VI., lines 645-48 :—

No. II., Erringa says "that day he catch, &c."

No. III., Sooquow says "that day me come two fellow woman, &c."

No. VIII., Try (Billy) says "same day me think."

Later on we find Beerah and Longyambo, two women brought on board, though on different days; on this point there is a difference of opinion, both Toalliee and Zoungarra thinking that Longyambo arrived first whilst Rowvamie and Try (who were in the boats) state that it was Beerah; the difference is immaterial.

Locality of abductions :—

Island of Attagegee and neighbourhood off Urassie, north-east side Island of Malayta.

It will have been noticed that all these people belonged to the interior, and were cut off from any powerful intercession, *see* No. I., lines 50-3, Toalliee frightened to re-land.

As to Quisoolia's influence. No. III., lines 314-6.

Important incidents :—

Quisoolia's man Cowar cut on arm and thigh as seen by No. II., lines 160-3, by No. III., lines 321-6, by No. VII., lines 811-5, by No. VI., lines 622-5, by No. VIII., lines 953-6.

Quisoolia's assault on his own sister for helping Toalliee, *see* No. VI., lines 679-88. Quisoolia's statement (whilst in the water) to the Government Agent, *see* No. VI., lines 635-9. The hoisting of flag from shore by Mr. Curry for boat to come off and take Zeelotta and others, *see* No. VIII., lines 972-6; *also* No. VI., lines 1092-1102.

The interview in cabin in which he took part, described by No. VIII., lines 916-29.

Mr. Curry the recruiter's remark to Mr. Olver, *see* No. VIII., lines 1022-3.

The taking away of Longyambo's child and preliminary conversation, *see* No. VIII., 1055-61. The re-landing of Zeelotta after a few days owing to threats, *see* No. II., lines 198-202. The re-landing of Beerah F., and Longyambo F., after some eight to nine weeks detention on board.

I have gone most carefully into the examination of these people, aided by an intelligent interpreter. I have used every legitimate effort to shake them but to no purpose, they all assert that they have only told what took place. I am therefore most reluctantly driven to acknowledge that I believe them; I do not for one instant think that these people could keep together such a series of events if it were not that they had engraven themselves upon their memories by actually occurring.

I am of opinion that Captain Vos, in the desire to fill his ship, called in Quisoolia's help (I do think, however, without fully weighing that Chief's probable action) and that the latter deliberately planned the capture of any bush people who at the time might be in his vicinity.

It is clear that these people have been forced to recruit under an influence they dared not resist.

I regret to state also that, in order to support the irregularities arising out of the above state of affairs, the log, and inward list have been very considerably manipulated, dates being secondary considerations.

As considerable doubt, I find, always exists at any inquiry into a ship's conduct, as to formation of boat's crews on any given date, I would offer the suggestion that in future the Government Agents be instructed to log same, and duly report any daily change that may occur.

I found it impossible to shorten this report, and even now feel that important points may not have been touched upon.

I have, &c.

To the Immigration Agent,
Brisbane.

H. ST. G. CAULFEILD,
Inspector Pacific Islanders.

No. 79.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received February 12, 1895.)

Government House, Brisbane,
December 29, 1894.

MY LORD MARQUESS,

IN continuation of my Despatch of the 22nd of August last,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Roderick Dhu," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 79.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
December 14, 1894.

SIR,

THE return of the labour ship "Roderick Dhu" to Mackay on the 26th ultimo affords me the honour of reporting upon her recent and 25th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 124 Islanders, and licenses were granted to enable the master to recruit 120 for 19 employers in the Mackay district.

G. Norman was the master and Mr. F. Gooding the Government Agent.

The ship left Maryborough on the 4th of August last, having 57 returning Islanders on board, and arrived at Santa Anna on the 13th of the same month.

The Government Agent reports that all the returns were landed at their proper villages or passages, or left in canoes with their relatives, with the exception of No. 55, "Barsee," who came on board at Maryborough sick, and died on the 27th of August, whilst the ship was lying at Port Adam.

Recruiting commenced at Santa Anna on the 13th of August, and was prosecuted throughout the Solomon group, finishing at Guadalcanar on the 12th of November, having occupied 92 days, during which period 74 recruits were obtained, 72 males and two females.

On the 11th of September, recruit 9 "Boneyveely," jumped overboard, and was brought on board again, but, being evidently insane, the Islander was returned to his island. (See Appendix A.)

On the 21st of September recruit 1 "Mytew," absconded. (See Appendix B.)

On the 14th ultimo the ship took her departure from Guadalcanar for Queensland, carrying 72 recruits, who were all brought from the Solomon group, including—

14	previously employed in Queensland.
2	" " Samoa.
1	" " Fiji.
1	" " Norfolk Island.

The Health Officer passed all the Islanders.

With regard to Regulation 46, no money was forwarded by the "Roderick Dhu" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Government Agent reports that everything connected with the ship is in good working order.

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Officer-in-Charge.

* Not printed.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT's LOG relating to an insane Recruit.

11.9.94. Anchored, Quoi, Malayta. The recruit we got from Ooroo on Friday last, No. 9 "Boneyveely," is evidently insane; he jumped overboard to-day and tried to drown himself. After getting him on board again he got up on the rigging, and remained on the upper topsail yard all day. We intend to land him again in the morning.

12.9.94. Boats left and landed the insane boy "Boneyveely" at his place, and returned at 11 a.m.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT's LOG relating to a Recruit who absconded.

21.9.94. Off Gamoa Island, Malayta. About 9 p.m. last night we discovered that the recruit No. 1 "Mytew," had absconded, and this morning we ascertained from a canoe he swam ashore in the early part of the evening. We anticipated this for some time past, as he absconded from the "Empreza" in the same way.

No. 80.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received March 9, 1895.)

MY LORD MARQUESS, Toowoomba, January 26, 1895.

In continuation of my Despatch of the 17th September last,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Helena," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 80.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
January 16, 1895.

SIR,

THE return of the labour ship "Helena" to Bundaberg on the 9th ultimo affords me the honour of reporting upon her recent and 28th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 90 Islanders, and licenses were granted to enable the master to recruit that number for seven employers in the Bundaberg district.

W. R. Reynolds was the master and Mr. A. H. N. Ussher the Government Agent.

The ship left Burnett Heads on the 22nd of August last, having 55 returning Islanders on board, and arrived at Tanna on the 1st September.

The returns were all landed at their proper villages or passages, with the exception

This implies that he was sent away while in an unfit condition for the voyage owing to the amputation—ask for report.—W.E.P.O.

of No. 53 "Caccan," who died on the 13th of September from exhaustion, he having had an arm amputated in Bundaberg, and gradually

sunk since leaving.

Recruiting commenced at Tanna on the 15th of September, and was prosecuted throughout the New Hebrides group, finishing at Big Bay, Api, on the 30th of

November, having occupied 87 days, during which period 91 recruits were obtained, 88 males and 3 females.

On the 6th of October recruit No. 21 "Lacona," belonging to Api, deserted.

On the 22nd of November, at Ambryn, the boats were fired on and the fire returned without effect; upon this matter the Government Agent, in his report of the voyage, writes, "we had got 22 recruits that day, and I expect they were wild at us taking so many."

On the 2nd of December the ship took her departure from South-West Ba Mallicolo, for Queensland, carrying 90 recruits, who were all brought from the New Hebrides group, including—

31 previously employed in Queensland.			
3	"	"	Ambrym.
1	"	"	Api.
1	"	"	Samoa.
2	"	"	Sandwich Island.
1	"	"	Honolulu.

The Health Officer passed all the Islanders with the exception of the under-mentioned, who were rejected:—

No. 36 "Milib," suffering from phthisis; No. 59 "Mamboon," suffering from acute tuberculosis; and 81 "Kekel" II.,* who is blind in one eye, and the other eye has an old ulcer on the cornea.

With regard to Regulation 46, no money was forwarded by the "Helena" this voyage for distribution to relatives of labourers who have died under engagement in Queensland. On the 28th September the boats of the "William Manson" were met with at La Menu Island, when the Government Agent of that vessel informed Mr. Ussher, of the "Helena," that they had been fired on, and asked him to stand by them, special report of this matter having been previously sent in. (See Appendix A.)

The Government Agent reports: I have no complaint to make, also that the ship requires a new covering boat, and the first boat wants repairing. New fore topmast trestle trees. New poop awning, new boats, masts, and sails, and the ventilator down to the women's compartment should be raised, as, when lying head to wind at anchor, the tanks on the poop prevent the wind from going down.

I enclose herewith tracing of the course of the ship showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG relating to the Boats of the "William Manson" having been fired upon.

28th September 1894. Anchored at Yemyen Cove, Api. "In the afternoon our boats went over to La Menu Island, and there met the boats of the 'William Manson,' they told us they had been fired on there, and Mr. Olver, the Government Agent, asked me to stand by him with our boats; there was a lot of shooting going on, and two houses burning when we arrived; he was the only white man I could see. I advised him to get his people in the boats as soon as he could and leave at once, and that I would lay off in our boats and cover him, so I ordered our boats off the beach and lay about 200 yards off till I saw them start, when we left."

No. 81.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received March 23, 1895.)

MY LORD MARQUESS,

Toowoomba, February 9, 1895.

I do myself the honour to enclose, for the information of your Lordship, copy of a correspondence on the subject of a representation made by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malekula by the Queensland schooner "Helena."

2. I have forwarded to the High Commissioner a copy of Mr. Philp's letter and its enclosures.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 81.

High Commissioner's Office, Western Pacific,
Suva, Fiji, October 8, 1894.

SIR,

I HAVE the honour to forward, for the information of your Excellency's Government, extract from a letter addressed to me by the Rev. F. J. Paton, respecting an irregularity alleged to have taken place in the recruiting of native labourers at Malekula on the schooner "Helena."

I have, &c.

His Excellency
General Sir Henry Norman, G.C.M.G.,
Governor of Queensland.

H. S. BERKELEY,
Assistant High Commissioner.

EXTRACT from a LETTER from the Rev. F. J. PATON to the HIGH COMMISSIONER.

About the 7th June two native men recruited on board the 'Helena,' Captain Reynolds. They belonged to the village of Hemerivit, in the district of Rukumbu, Malekula, and recruited at a place called Sanbage. Their names were Femun Merib and Sarin Merib.

Two native women, the one named Reterang, and the other named Lesivsiv or Lenambir, belonging to the village of Hemerur, are supposed to have followed these men (who are not their husbands) and to have embarked on or about 7th June on board the "Helena" at or near Bushman's Bay, Malekula.

* * * * *

Enclosure 2 in No. 81.

Chief's Secretary's Office, Brisbane,
February 1, 1895.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a letter dated the 8th October 1894, from the Assistant High Commissioner of the Western Pacific, enclosing an extract from a letter addressed to the High Commissioner by the Rev. F. J. Paton, respecting an alleged irregularity in the recruiting of Pacific Islanders on the schooner "Helena" at Malekula.

I have caused an inquiry into Mr. Paton's statement to be held, and now enclose, for your Excellency's information, copies of the evidence taken thereat, which evidence appears to me to indicate that the Government Agent and those concerned in the recruiting of the two women at Bushman's Bay, Malekula, took all available means to satisfy themselves that they were married to the Islanders with whom they were recruited. I am doubtful, however, as to the wisdom of permitting women to be recruited from boats or canoes, and will cause an instruction to be issued to Government Agents, with a view to preventing the recurrence of this practice, except in cases where the Chief is

present, is personally known to the Government Agent and officers of the ship, and gives his consent to the engagement of the women.

With regard to the firing at the boats reported to have taken place at Pangkuma, I think that further efforts might have been made to discover the cause of the attack, but, as the "Helena" has since visited the place and been well received, it does not appear to have been serious in its nature.

On the whole, I am not disposed at this juncture to attach blame to the Government Agent or the officers of the "Helena" in connexion with this matter. If Mr. Paton renews his report, furnishing further particulars, I will again give attention to the case, and will apprise your Excellency of the result.

I have, &c.

ROBT. PHILP.

His Excellency,
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

A. H. N. Ussher, Government Agent states:—I remember the 7th June last; was Government Agent on the brigantine "Helena" that voyage, we were on our way to Bushman's Bay, Mallicolo from Pangkuma; boats were ashore landing returns, when Murray and Mettang Mussing recruited they were the only recruits that day; anchored in Bushman's Bay that afternoon; two days afterwards two canoes came off to the ship, and among the occupants were Linamerry F., Sin Sin Yal, and Setterang F., there were about 12 Islanders in all in the two canoes. Linamerry immediately on coming on board went up to Murray. Murray then said, this is my Mary, she wants to go to Queensland with me. An Islander, representing himself as the Chief, came on board with them, and I made inquiry from him if the woman Linamerry was Murray's wife, and he replied, yes. I then thought I was perfectly safe in recruiting them; and the same with regard to Sin Sin Yal and Setterang, who came on board with him; I cannot say from memory the name given by the Islander who stated he was Chief; he could speak English; I think I have mentioned it in log. Do not remember whether I inquired how long they had lived as man and wife. Left Bushman's Bay the next morning, Sunday 10th June, as there were no more recruits offering.

I went ashore this trip at Pangkuma with Captain Reynolds, saw Rev. F. J. Paton while there, when he mentioned to Captain Reynolds that he had heard from some of the Natives that he had recruited two women with men who were not their husbands. Captain Reynolds asked him if there was anything he could explain, Mr. Paton said, "there is nothing for you to explain." I then explained to Mr. Paton, almost as given here, the circumstances of recruiting the women mentioned, when he seemed quite satisfied with the explanation.

Bundaberg, December 11, 1894.

ARTHUR HUGH NEVILLE USSHER,
Government Agent.

EXTRACT from the GOVERNMENT AGENT'S LOG, Labour Barque "Helena,"
Voyage No. 27.

Bushman's Bay, Mallicolo, June 9, 1894.

At anchor, as yesterday, calm, fine weather. Recruited the three following Natives from a canoe. The first female had walked up from Millabit after her husband, No. 68. I asked the other recruits if she belonged to him, they said, yes, also a Chief (Wally-Kelly) who was in the canoe. The other female came with her husband and with Wally-Kelly's consent, viz.:—

No.	Name.	Sex.	Rate of Pay.
70	Lin-am-berry - - -	Female - - -	£ s. d. 6 0 0 per annum.
71	Seter-rang - - -	" - - -	6 0 0 "
72	Sin-sin-yal - - -	Male - - -	10 0 0 "

Captain W. R. Reynolds, master, "*Helena*," states:—I remember 7th June last, was coasting along towards Bushman's Bay, the boats were ashore landing returns and on the look out for recruits, they recruited two Islanders, Murray and Mettang Mussing; Mr. Ussher was with the boats at the time, and brought them on board; no others were recruited that day. Anchored in Bushman's Bay that afternoon. No Islanders were recruited until the 9th, when two canoes came on board containing about 12 Islanders, among whom were Linamerry F., Settering F., and Sinsinyal. Linamerry on coming on board went to her husband, Murray; Murray stated she was his wife and wished to recruit for Queensland. An Islander, representing himself as the Chief, came on board at the same time. Mr. Ussher asked him if the two women were the wives of the two boys, Murray and Sin Sin Yal, and he replied that they were, after which they were signed on in the usual way. I do not remember the name of the Chief; I did not inquire how long they had lived as man and wife; the boys could speak English, having been in Queensland before. They did not give the names as reported by Mr. Paton, the only names they gave were Murray and Sin Sin Yal.

On the morning of leaving Pangkuma, after getting under weigh, the boats went ashore near the mission station, a signal having been reported from shore expecting some recruits; the boats reached the shore and were going along the beach; when the Islanders reached some cover they fired on the boats; the boats returned the fire; no person was hurt; boats then returned to ship.

We called at Pangkuma this trip, and were at Mr. Paton's mission station; when there, Mr. Paton asked if I had received his letter, I replied that I had not done so, and asked him what it referred to, he said there were two women missing from Bushman's Bay since we were there last time. I told him we had recruited two women there with their husbands; he then asked their names, which Mr. Ussher gave him, as I did not remember them; he said the names did not quite correspond with those of the missing women. When leaving, I asked him if there was any explanation I could give in reference to his letter, and he replied "no more."

W. REES REYNOLDS.

Pangkuma, Malekula, New Hebrides,

DEAR SIR, August 10, 1894.

THE Natives allege that two women, "Reterang" and "Lesivsir" or "Lenambir," recruited about 7th June in the "*Helena*" at or near Bushman's Bay. I am reporting the matter to the High Commissioner, and send you notice, as I think that there must be a mistake somewhere.

I hope to see you at Pangkuma next trip and discuss the matter then.

Yours, &c.

Captain Reynolds. FREDERICK J. PATON.

William Davies, mate, "*Helena*," states:—I remember leaving Pangkuma, Mallicolo, for Bushman's Bay on the morning of 7th June last. The vessel was coasting along; the two boats were ashore landing returns and looking out for recruits. Mr. Ussher was with the boats; they returned with two recruits, Murray and Mettang Mussing; they returned to ship before coming to an anchor in Bushman's Bay. The boats had been fired at in the morning at Pangkuma before leaving; they had gone ashore expecting recruits, having seen a smoke; the fire was returned by boats; no damage done. Arrived at Bushman's Bay same afternoon; no more recruits that day. The next day were getting wood and water; got no recruits that day. The day following, the 9th June, two canoes came off to the ship full of Islanders, about 10 or 12, among these were the Chief, the two women, and boy who recruited. One of the women, on coming on board, claimed the man who recruited on the 7th as her husband (Murray). I understood that the other man and woman were man and wife; noticed the Government Agent speaking to Chief, but did not hear the conversation. I heard the Islander who came on board state he was Chief. The canoes left ship same day, and the other Islanders went ashore in them. The ship did not leave Bushman's Bay till the next morning (Sunday). Were at the same places, Pangkuma and Bushman's Bay this trip, and heard no complaints with reference to taking away any recruits last voyage. Was not ashore when there, nor did I see the missionary, Mr. F. J. Paton.

WILLIAM DAVIES.

Bundaberg, December 19, 1894.

Peter Penfold, recruiter, "*Helena*," states:—Remember the 7th June last; was recruiting on the "*Helena*" that voyage. The ship left Pangkuma that morning for Bushman's Bay. After leaving Pangkuma, the vessel was coasting along; the boats were ashore landing returns and looking out for recruits. Got two boys, Murray and Mettang-Mussing; these were the names given us. One had been in Queensland before, the other was a new chum. We got no recruits that day; arrived at Bushman's Bay same afternoon. We got no recruits next day, were getting wood and water that day. The following day two canoes came off to the ship. There were about 10 Islanders in the two; three of these recruited, two women and one boy. The man and woman were husband and wife, Sin Sin Yal and Seterang; the other woman gave the name of Linamerry on coming on board. As soon as she came on board, she ran to Murray and caught hold of him. Murray said she was his wife and wished to recruit for Queensland with him. Mr. Ussher asked the other Islanders where the Chief was, and one of the Islanders who came in the canoe said he was the Chief. The Chief said that Linamerry was Murray's wife; that she was his wife previously to coming on board, and also that the other two were husband and wife. He could speak English fluently. The rest of the Islanders afterwards went ashore, leaving the two women and boy on board. They did not return to ship afterwards. We left Bushman's Bay the following morning. I never heard that the two Islanders, Murray and Sin Sin Yal were not the husbands of the two women Seterang and Linamerry.

I heard nothing this trip while at Mallicolo of the two women having run away, no complaints made as to their having done so.

The boats were fired on at Pangkuma the morning we left before we recruited the Islanders previously mentioned. I had gone ashore to return a book from Captain Reynolds to the missionary, Mr. Paton, and, after leaving the shore about 10 minutes, the boats were fired on. The Natives could not see who fired the shots. We returned the fire. No one was hurt.

P. C. PENFOLD.

Murray or *Feminmerib*, of Mallicolo, states:—I belong passage Hemerivit. Sarin-Merib is Mettang-Mussing, he is my brother. We recruited on "*Helena's*" boat at Sambogge, near my place; the boats had landed some returns; we then went on board the ship. I was in Queensland before, at Mackay, for three years; have been home four years. I been take this woman Lesivoir or Linamerry two years; we stop Hemerivit all time. At first she did not want to come to Queensland; afterwards she run along shore to Metatoon, where she went on board ship in canoe. The ship's boats did not recruit her, she came on board with some others belonging to another passage; they talk all same me. Linamerry had another husband; he dead two years ago; before I take this woman. No other man want to take this woman from me. Linamerry has never been in Queensland before; when she came on board she came to me, and I told Government she was my Mary and wanted to come to Queensland in ship. Chief belong me stop long way, he no come long ship. Her passage is Hemerur, all same as Hemerivit. The name of her deceased was Goon-goo-napon.

Missionary no tell true if he say this woman no belong to me.

his
MURRAY OR FEMIN-MERIB X
mark.

No. 82.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received March 23, 1895.)

MY LORD MARQUESS,

Toowoomba, February 12, 1895.

As your Lordship is no doubt desirous to see any public statements adverse to, as well as those in favour of, the employment of Pacific Islanders in this colony, I forward for your information the copy of a lecture delivered in Brisbane last week by the Rev. W. Gray, formerly a Presbyterian missionary in Tanna, one of the islands of the New Hebrides group.

2. Your Lordship will see that Mr. Gray condemns the traffic, but that his views were not in accord with those of the chairman of the meeting, the Rev. E. C. Smith.

3. Mr. Gray considers that, in giving an opinion favourable to the treatment of the Kanakas, I was looking through the spectacles of my Ministers, but your Lordship is aware that my impressions were formed as the result of frequent visits to sugar estates where Kanakas were employed. To the opinions I have previously expressed as to the good treatment and general cheerfulness of the Kanakas in Queensland I unreservedly adhere, but I am not insensible to some inconveniences in the traffic, and the tribal feuds and strong passions of some of these people in this colony have on various occasions caused trouble.

4. I also send copy of a leading article in the "Brisbane Courier" of yesterday commenting upon Mr. Gray's lecture.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 82.

KANAKA LABOUR.

Lecture by Rev. W. Gray.

The Rev. W. Gray, formerly a Presbyterian missionary on Tanna, one of the islands of the New Hebrides group, delivered a lecture last evening in the Park Presbyterian Church, South Brisbane, on "The Kanaka Labour Traffic." The Rev. E. C. Smith presided. The attendance was very small. At 8 o'clock, the hour fixed for the lecture to be delivered, the church was almost empty, but shortly afterwards people began to come in. Altogether, Mr. Gray's audience numbered about 50, the majority of those present being ladies.

The Chairman, in introducing the lecturer, said he had been asked by the Rev. Mr. Mitchell, who was absent from home, to preside on this occasion, and he did so with great pleasure. Their brother, Mr. Gray, had been rather over 12 years in the South Sea Islands a devoted missionary, and he had now retired from that field of labour. He (Mr. Gray) wished to give them some of his knowledge springing out of personal experience, and, in connection with that, his views on the policy of the Queensland Government regarding Kanaka labour. Of course there were many in the colony who entertained different and even very diverse views to those held by the rev. gentleman, but they were willing to get light from all quarters, and all they wished was to reach the truth. For that reason he thought they should listen with becoming attention to one who, like Mr. Gray, had been there. He had great pleasure in introducing Mr. Gray. (Applause.)

THE LECTURE.

Mr. Gray, who was warmly received, said that for over 12 years he had been a missionary on Tanna, an island of the New Hebrides group. He was sent out and maintained by the little Presbyterian Church of South Australia. From the New Hebrides he had just come, and there for over 12 years he had been contending with heathenism and worse than heathenism—the evils inflicted on them and on the Natives by civilised people who sought their fortunes or profit there. For the first 10 years he was a silent observer of all forms of the labour traffic, and probably his voice would never have been heard on the matter had Queensland not renewed that traffic in 1892. Having suffered in the past, having seen the evils of the traffic in the past, he was constrained to speak. Very much had been said of a personal character by those who had written and spoken on both sides. Charges of ignorance had been freely made by both sides. The explanation of that mainly lay in the fact that the Queensland labour traffic had two ends. It had an island end, and a colonial end. Much of the bitterness in the controversy had arisen by the one party maintaining that because it was bad at the island end it must be bad at the Queensland end. The other party had maintained that because it was good at the Queensland end it must be good at the island end. That was a mistake which he recognised from the first, and his position had been that the goodness claimed for the traffic at the Queensland end could never compensate for the evil inseparable from the traffic at the island end. Some of those who had said most on the subject on the opposite side had known least. The Rev. A. C. Smith, the chairman, spent a month in the Mackay district, and then wrote a pamphlet in defence

of the labour traffic that had been scattered far and wide by the Government of Queensland. It was a larger claim than he (Mr. Gray) would care to make, that he knew all about the matter because he had seen the traffic in one or two places on a pre-arranged visit. Still more absurd must be the claim of Sir Henry Norman when he said, as he did in his Despatch of 23rd May 1892, that "He had reason to believe that employment in Queensland was very popular amongst Pacific Islanders generally, and opposition to it in the Pacific was mainly on the part of missionaries in the islands and chiefs, who objected to the loss of their people, unless they returned with the fruit of their labours." Sir Henry's facts were no doubt seen through the spectacles of his Ministers, of whose lopsided news [views?] that famous Despatch was an exact echo. Were the objections of missionaries on the islands, who had the best opportunities of knowing what the traffic was, utterly valueless?

Cheap not Coloured Labour Wanted.

The supposed need for coloured labour was based on the fact that we had here a tropical territory. His experience of Kanakas had convinced him that they had not the power to sustain continuous hard work. If the wages were equal to the work, white men would work in the Queensland canefields. It was not coloured labour that was wanted, but cheap labour that was not aware that it had any rights. In that they had the reason for the existence of the Kanaka labour traffic in Queensland. Coloured labour they could get from India. But the labourer from that quarter knew that he had rights. Cheap labour could be got from Germany, but history repeated itself, and the cheap labourer would soon become a citizen, with the rights of every Queenslander. The South Sea Islander was not aware that he had rights. If he was wronged he said little about it in a strange land. In most cases he did not know that he had been wronged. Like it or lump it, the fact was that cheap labour that gave no bother was the reason why there was Kanaka labour traffic in Queensland.

The Sugar Industry.

The Kanaka labour traffic was introduced professedly to save the sugar industry. Was there any certainty that it would succeed? In considering that, two questions need to be faced. 1. What was the future of the Queensland sugar industry? 2. And if it depended on the supply of South Sea Island labour, could that supply be maintained alongside of British sentiment? Now the Queensland sugar industry had had fits of depression, which had been attributed to any number of causes, from the want of Kanaka labour to spots on the sun. It was a fact that the price of products had fallen all over the world. Between the year 1880 and the first half of 1887 the wholesale price of "fair refining" sugar fell 114 per cent. The appreciation of gold, which increased the buying power of gold coinage, improvement in the process of sugar-making, and sugar bounties throughout the world, had all contributed their quota to the fall in the price of sugar. Would it not be well if those interested in the sugar industry were to take stock, as it were, by looking this question fairly in the face? There was more than a possibility that the sugar industry had in itself the elements of collapse. As the matter stood now, according to the manifesto of Sir Samuel Griffith, accepted by the Parliament and people of Queensland, the sugar industry here depended on the Kanaka labour traffic. The heavy death-rate in Queensland, and the limited supply of Natives in the islands, made it evident that the Kanaka labour traffic could not go on for ever. If the sugar industry did really depend on the Kanaka labour traffic, the longer it was bolstered up thereby the more ruinous to Queensland must be its final collapse. In any case it was surely contrary to British sentiment to sacrifice a whole race of people to carry on what everyone said was otherwise a losing business.

Abuses of the Traffic.

The missionaries asserted that the labour traffic could not be maintained alongside the British sentiment. For twelve years he had been a watcher of the traffic in the New Hebrides. He was personally acquainted with the captains, the Government Agents, and the recruiters. He had seen the work before the days of the "Hopeful" case and since. True, it had been shorn of some of its flagrant abuses, and a better class of men all round was now in the trade. But the more he knew Natives, the more he knew "good men" in the traffic, the more he knew what the labour traffic was and is, the more he was convinced that this traffic must always be at heart what it always was—a cruel, unjust, un-Christlike, demoralising traffic in human flesh. The

humanity shown to Natives and Government Agents after the boys were recruited, when analysed, was just the care a stockowner would take of his cattle worth so much per head. Every labour vessel, every time it lifted its anchor and sailed from a haven in these fair seas, left behind it a whirlpool of human passion as a consequence of the recruits taken.

The Present Act.

The present Pacific Island Labourers' Act, the regulations, and the instructions were all so perfect and elaborate that people wondered how it was that illegal acts could be done. So completely was the traffic hedged round in this way that it seemed misdemeanors were impossible. But they might lay it down as a broad principle that when any traffic required to be fenced round with minute prohibitive regulations in order to protect the customers of the traffic, they might infer that the traffic was in itself inherently bad. He had no hesitation whatever in pronouncing the labour traffic so inherently bad that it could not be regulated.

Vital Statistics.

The vital statistics for 1892 showed that the death rate for Queensland was 12·06 to 1,000 of the population, leaving out Chinese, Polynesians, and all other like alien races. But the death rate per 1,000 of the Polynesian population in Queensland was 42·74—in round numbers 43 in 1,000 of blacks to 12 per 1,000 of whites. In 1892 and 1893 the deaths of Polynesians were 709. Information supplied him by the Department showed that 49,009 Kanakas had been brought to Queensland between 1868 and 1893, and of that number, he estimated 11,000 had died.

Mr. Gray's Indictment against the Traffic.

His indictment against the traffic was as follows:—1. It demoralises and impoverishes the Kanaka, deprives him of his citizenship, and depopulates the islands fitted to be his home. 2. The regulations under which it exists in Queensland are inadequate to prevent abuses, and in the nature of the case they cannot be anything else. 3. The whole thing is contrary to the spirit of the Gospel. That spirit is that the strong should help the weak. But the Kanaka is trodden down. He is the man that went down to Jericho and fell among thieves. Who are the Levites and the priests? Who are the Samaritans and the thieves? I leave you to say. (Applause.)

THE REV. MR. SMITH IN REPLY.

The Chairman said they had listened very attentively to their respected brother's lecture, and he thought two things must have struck them. In the first place, Mr. Gray had given them a good deal of information, and in the second place, he had spoken, on the whole, temperately. Of course they knew that, looking at it from a missionary point of view, Mr. Gray must feel somewhat sore on certain points. He (Mr. Smith) would like to refer to what had been said about the mortality among the Kanakas. About four years ago the mortality was about 98 out of 3,000. Since then the rate has been steadily diminished, until last year it was reduced to 25 or 30 in the 1,000. He thought that, if the Kanakas were so ill-used as they said they were when they were brought here, it was a remarkable thing that out of the thousands employed in the Mackay district there were very few who had not been from three to fifteen years in the colony, and they would not go home. As to wages, Mr. Gray said they got 9*l.* a year. Perhaps he was not aware that under the restrictions placed on the Kanaka, traffic labour had become somewhat scarce, and the result had been in the Mackay district that the larger proportion of 2,000 Kanakas got from 26*l.* to 40*l.* a year. He wished he could say that every white man was as well paid, as well fed, and as well treated as those Kanakas were. (Applause.) However, he felt that Mr. Gray had spoken very temperately, and he thought they ought to accord him a hearty vote of thanks. (Applause.)

Mr. Gray, in returning thanks, said that many of the questions referred to by Mr. Smith would have been answered had he delivered the whole of his lecture. He had the facts which Mr. Smith had given. The facts he (Mr. Gray) had given were taken from the vital statistics. Possibly the death rate at Mackay was lower than at Bundaberg.

A collection was then taken up to defray expenses, and the benediction having been pronounced, the audience dispersed.

Enclosure 2 in No. 82.

THE KANAKA QUESTION.

The Rev. Mr. Gray, the New Hebrides missionary, who has been visiting the Wide Bay district with a view to understanding the Queensland side of the Kanaka question, makes strong representations on two points: the one that the Kanaka is better off at home than in Queensland, and the other that the returned Kanaka is a worse man than his untravelled brother. On the first point Mr. Gray weakens his argument by placing the missionary along with the white man generally as having introduced both good and evil to the blacks. No one can read his representations on this head without feeling that we want to clear our ideas of what constitutes good and evil. Mr. Gray in effect swerves to the doctrine which regards savagery as the black's paradise, and any departure from it as the *descensus averni*. To compare the money position of the semi-civilised black in Queensland—which, by the way, Mr. Gray understates—with the property position of his savage brother, is totally misleading, because the conditions are not comparable. The same defect runs through the comparison as to the character of the returned and the stay-at-home Kanaka. The Kanaka has learned evil in Queensland, no doubt; has he not also learned good? And is it not by the rubbing together of the good and the evil that the moral fibre of any race is strengthened? Mr. Gray strangely omits to speak of the returned Christianised Kanaka. His account is highly entertaining, but it is not argument. And he must permit us to say that over against the general condemnation of the traffic given towards the close of his lecture may reasonably be placed the remarks of the Rev. A. C. Smith and Sir H. Norman, which he needlessly decries, touching the popularity of Queensland work among the Islanders.

What Mr. Gray spends his strength on is the conditions obtaining at that end of the traffic with which presumably he is less conversant than either of these gentlemen. His dissertation on the sugar industry is an instance in point, and is a total irrelevancy. Whether the industry is to prosper or to die, the morality of the black labour traffic remains the same. The lecturer seemed to think that he had said everything necessary when he assured his hearers that it was not coloured labour that was wanted, but cheap labour, and labour unconscious of its rights. There is just enough of truth in this representation to give it vogue with the thoughtless. It is true that the once prevalent belief in the total unsuitableness of tropical field labour for the white man has been generally abandoned; and it is also true that if the Kanaka were unwilling to work cheaply he would not be employed. It may be admitted further, though this opposes Mr. Gray's own comparison, that the Kanaka is willing to work for a small wage compared with the white worker, because it is really a great wage compared with anything, or his estimate of anything, he has hitherto received. But to say that this traverses labour's rights, and is offered and accepted only because the Kanaka is unconscious of his rights, is to abuse the situation. Are we to say that the demands of white labour are only demands for "rights"? Are we to say that a man or a race of men can be expected to work faithfully for a stipulated wage only through ignorance of their rights? Yet this is what Mr. Gray assumes.

On one other question of great importance Mr. Gray fails to maintain his indictment. He lays stress, as all other speakers on his side have done, on the excessive mortality of the Kanakas in Queensland. The mortality, we all know, is heavy (though it is now much less than it was in former years) compared with that of the white Queenslanders. But is it excessive compared with the mortality of the Kanakas in their own islands? This is the crucial question, and any light thrown by Mr. Gray on this question tends to answer it in the negative. Why does the Kanaka die off in Queensland? Because—so in effect Mr. Gray answers—he brings to Queensland "his special liability to sickness, his superstition, and his fatal dread of death." He brings, that is, just what clings to him and kills him in his native country. Against that admitted fact, and in the absence of island statistics, which no missionary has attempted to provide, the objection touching mortality in Queensland is stripped of much of its force. The truth is that, as Sir S. W. Griffith pointed out years ago, the policy which would keep the South Sea Islands, or any other part of the world, out of the stream of travel and of commerce, becomes impossible as the world moves on, and is as undesirable as impossible. The various races of men must mingle in the world's business; what Governments have to do is to see that they mingle under equitable and just conditions, and few Governments have given themselves so much trouble on that head as has the Government of Queensland.

No. 83.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received March 23, 1895.)

Government House, Brisbane,
MY LORD MARQUESS, February 15, 1895.

IN continuation of my Despatch of the 22nd August 1894,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Fearless," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage, and copy of the special report of the Government Agent, referred to in Mr. Brennan's letter.

I have, &c.

H. W. NORMAN.

Enclosures in No. 83.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
SIR, February 4, 1895.

I HAVE the honour to report upon the 17th and recent voyage of the "Fearless."

With George McArthur, master; A. King, mate; James Forbes, recruiter; and S. M. Smith, Government Agent, she sailed from Cairns on the 30th July last with one return Islander.

On the 15th August the Government Agent became so ill that the vessel had to be put back, and reached Cairns on the 29th of that month.

Mr. Smith having been landed, and Mr. Arthur Thompson taking his place, the vessel, resuming her voyage, sailed again on the 16th September, and after a long and rough passage arrived off Vanna Lava on the 15th October, and worked south as far as Mallicolo, finally taking her departure for Queensland from Santo on the 30th December, having obtained in that time 65 recruits, four of whom deserted, leaving 61, 58 males and 3 females, who hail as follows:—

Lacona	2
Aoba	6
Ambrym	34
Mallicolo	8
Pentecost	10
Paama	1
Total	61

The medical officer at Dungeness, which port was reached on the 14th instant, passed all but two, who are suffering from venereal disease, *vide* special report attached, and who are sent to the hospital for treatment.

The one return was duly landed at his own house at Lacona on the 20th December in good health.

The Government Agent reports the vessel to be leaking very badly, and as requiring a thorough overhaul, of which I have advised the portmaster.

On the voyage home on the 26th December, about 40 persons on board, both Europeans and Natives, were suddenly attacked with severe colds on their chests, accompanied in some cases with fever; they all appear, however, to have recovered before they reached the coast. The Government Agent prefers no complaint.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

Department of Immigration,

Pacific Island Labour Branch, Brisbane,

February 1, 1895.

SIR,

WITH reference to the two Islanders who were sent to the hospital by Dr. Macdonald, I have the honour to inform you that No. 17, Mattor, F., was merely suffering from a slight attack of gonorrhoea, brought on by uncleanness, and should be well at the present time.

No. 45, Ma-lip-too-ang, was suffering from common chancres, which developed while he was on board, but, as the treatment is simple, he should not be detained long at the hospital.

Hoping that my explanation will prove satisfactory,

I have, &c.

The Immigration Agent,
Brisbane.

ARTHUR THOMPSON,
Government Agent.

No. 84.

SIR JOHN B. THURSTON to the MARQUESS OF RIPON.

(Received March 30, 1895.)

Government House, Suva, Fiji,

February 23, 1895.

MY LORD,

I BEG leave to enclose, for your Lordship's information, a copy of a letter from the Governor of Queensland, which was received by Mr. Administrator Berkeley during my absence at the Solomon Islands in the months of September and October last year.

2. The phraseology of the letter is identical with others bearing upon the same subject, but hitherto the "groups available" for recruiting by Queensland ships have been restricted to the New Hebrides and Solomon Islands. I had no reason, when perusing Sir Henry Norman's Despatch, to suppose that a new departure was meditated, and that Queensland intended turning to the Gilbert Islands Protectorate as a source of labour supply.

3. The fact that this new source, so far as Queensland is concerned, has been turned to, has come to my knowledge only within the present week, and I beg leave to transmit a copy of a communication which I am sending to Governor Sir Henry Norman on the subject.

4. With a redundant population such as exists at the Gilbert Islands, I see no reason why any objection should be raised to the engagement and suitable employment of a few hundred Natives in any British colony wanting their services.

5. But for these Natives work on sugar plantations is not suitable employment, nor is any other heavy work. To remove men and women who have grown up on calcareous sand banks without having done a day's real work in their lives, and set them to hard, regular, and incessant labour, in tilling the soil, or trashing cane upon a sugar plantation, can have only one result, and that is death.

6. For this reason, the result of experience, the Government of this Colony does not sanction the employment of Gilbert or Ellice Islanders in canefields.

7. The number of people recruited by the Queensland ship "May," as far as I have ascertained, is over 50 in the Gilbert Group and 27 in the Ellice Group, but the Resident Commissioner when writing had not received full information. From sources of information other than the Commissioner, I have heard of the "May's" visit to both groups and of her recruiting there.

8. I should have been glad had the Government of Queensland apprised me of its intention to authorise recruiting within the Gilbert and Ellice Protectorates, for the course adopted can only operate as a very grave disturbing factor in the efforts made to bring the islands under efficient administration, and provide a local revenue. To the almost depopulated islands of the Ellice group the removal of any of its male population is both ruinous and cruel, and should be stopped by regulation.

9. It is possible that the master of the "May" did not notify the Government of Queensland of his intention to proceed to the Gilbert and Ellice Islands, and that his visit was experimental and not authorised otherwise than by the provisions of section 2

of the Queensland Act, No. 6, 1886, which defines the meaning of the expression "Pacific Islander." But should the authority to visit the groups named have been specific, I need hardly submit to your Lordship that, if the local administration is thus ignored, my attempts to establish a better ordered state of affairs in the islands, and make them self-supporting, can only end in failure.

10. There is, I fear, little doubt that, owing to the rapid process of depopulation that is going on in the Solomon Islands, the difficulty of recruiting in that group is increasing, and hence the Gilbert and Ellice Protectorates are attracting attention. But, unless I am much mistaken in my 30 years' experience of the Gilbert Islander, he will make savage reprisals for any losses of his kindred in Queensland. It is quite true that these Islanders have gone away before and that many have never returned, but the numbers who have left are as nothing to the thousands Queensland requires, and will seek to obtain from somewhere when the Solomon Islands are exhausted.

11. With regard to recruiting in the Ellice group, I most strongly recommend, on the grounds of humanity, that it be prohibited. It is nothing short of cruelty to carry off, even with their consent, any of the remnant left of its unfortunate people to what can only be to them a life of toil and misery.

12. In view of my approaching temporary absence from the Colony, I have conferred with the officer who will act as Assistant High Commissioner, and, considering it the best course to take, have arranged that no regulation forbidding recruiting at the Ellice group shall issue pending your Lordship's reply to this Despatch.

13. While writing this Despatch, I receive letters from Sydney, one of which contains an extract which I beg leave to enclose.

14. The Rev. W. Gray is known to me, and I presume from his reference to a "registrar" of deaths his figures are taken from Government statistical returns. Assuming that the death-rate of Kanakas (Melanesians) in Queensland is as stated, the mortality is very great, but the mortality of Gilbert and Ellice Islanders will be infinitely greater.

I have, &c.

JOHN B. THURSTON.

Enclosure 1 in No. 84.

Governor Sir HENRY NORMAN to the HIGH COMMISSIONER.

Government House, Brisbane,

October 11, 1894.

SIR,

I HAVE the honour to inform you that the labour vessel "May" left Brisbane on the 28th of September last to recruit Islanders from any of the groups available.

2. This vessel is licensed to carry 150 Islanders. No Islanders returned in her.

I have, &c.

H. W. NORMAN.

Enclosure 2 in No. 84.

High Commissioner's Office, Western Pacific, Suva, Fiji, February 22, 1895.

SIR,

UPON my return from the Solomon Islands in November last I found your Excellency's Despatch, No. 4, of the 11th of October 1894, acquainting me that the labour vessel "May" left Brisbane on the 28th of September last for the purpose of recruiting Islanders from any of the groups available. Recent Despatches from the Gilbert and Ellice Island Protectorates inform me that the "May" has visited both groups, and recruited a number of men and women.

2. As this is the first time within my knowledge that Queensland vessels have proceeded to the Gilbert and Ellice groups for the purpose of recruiting, I think it well to acquaint your Excellency that to the best of my belief and experience the Islanders in question are not suitable for working upon sugar plantations, and it is a

reasonable presumption that they have been recruited for such work. I may also add that for many years past the Government of Fiji has not allowed such Islanders to be indentured for service on sugar plantations.

3. Presuming that the Natives recruited by the "May" are intended for employment upon the sugar plantations of Queensland, and regarding the voyage of the "May" in the light of a new departure in the history of the Queensland labour traffic, I beg leave, as the officer under whose jurisdiction the islands in question have been placed, to express my regret that your Excellency's Government has not afforded me an opportunity of expressing my opinion as to the suitability or otherwise of Gilbert Island Natives for such employment, or for making any arrangements for the supervision of recruitment on the spot.

In the initial regulation made by me in October 1893, the possibility of Natives being recruited for service in British possessions was contemplated, and its legality from the point of view of the local administration placed beyond doubt. But it was not contemplated that recruiting would be begun without previous communication with the High Commissioner.

4. It is probably within your Excellency's knowledge that the Gilbert Islands consist of mere reefs and sand banks elevated only some 10 or 12 feet above the level of the sea. Beyond cocoanut palms, pandanus, a few low shrubs, and stunted grass they possess no vegetation. The little soil that is susceptible of cultivation has been made by digging trenches in the sand into which is thrown all the decaying vegetable matter procurable. These trenches, which in some places extend for a mile or more in length, were made generations ago for the purpose of growing a coarse variety of arum, which is the only esculent root cultivated.

5. Native food is restricted to raw and dry fish, cocoanuts, pandanus, and the arum in question. Of agriculture the people are entirely ignorant. They do little or no work, but pass much of their time in singing, dancing, and drinking the fermented sap of the cocoanut.

6. The transfer of a non-agricultural people from such a life as this, with its ease and "abandon," to the hard and regular work of a sugar plantation has, in my experience, resulted only in death to the labourer, and loss and disappointment to the employer.

7. For light employment, such as working upon cocoanut plantations, or other easy and not uncongenial work, they are, with careful management, suitable. In light domestic work they may also be employed, though their fiery temper and treacherous character has always to be borne in mind. There are but few Gilbert Islanders in Fiji, and they are employed on cocoanut or fruit plantations, or in household service.

8. It did not occur to me when reading your Excellency's Despatch that the Gilbert Islands were included in the expression "any of the groups available," and I believe, as already said, that the visit of the "May" to the Gilbert Islands Protectorate may be regarded as a new departure, and one, if my presumption as to their employment is correct, not only detrimental to the Islanders, but likely to cause grave embarrassment in the administration of the new Protectorate, just established with, so far, a large measure of success.

9. I may state, for your Excellency's information, that I have taken steps within the Protectorate to prevent any further recruiting of Gilbert Islanders for employment in Central America, and, although I have sanctioned one or two licenses being issued for the employment of Gilbert Islanders upon cocoa and cotton plantations at Samoa, I think it probable I must cease to do so in future, for it has been pretty plainly admitted by employers in those islands that unless they are allowed to terrorise the Islanders they are unable to make them work.

10. For these reasons I trust your Excellency will move your Government to abstain from issuing any further licenses to recruit labourers in the Gilbert Islands for work upon sugar plantations. For any other employment such as I have indicated above, no objection exists to their recruitment under arrangements referred to below.

11. What I have said respecting the Gilbert Islanders' inability to withstand the effects of regular and hard work applies even more strongly to the Natives of the Ellice Islands. This group was well nigh depopulated some 30 years ago by Peruvian slavers, and from a recent census I find the population of the eight islands forming the group even now barely reaches 3,000 souls. The people, a mild and inoffensive race, differing in this respect from the quick-tempered and savage Gilbert Islander, are only now beginning to take heart again.

12. As regards the Ellice group, I am of opinion, with my better knowledge of the condition of the people in that group, that recruiting should be prohibited altogether. I am not aware of any of its Natives being absent from their homes, except the 27 (or whatever the exact number may have been) lately conveyed to Queensland in the labour vessel "May."

13. I am, of course, unable at present to come to a conclusion whether the voyage of the "May" to the Gilbert Islands is to be regarded as an exceptional occurrence, or whether it is the forerunner of others. In the latter case it will be necessary to arrange that all recruiting ships report themselves at the office of the Resident Commissioner upon their arrival and departure from the group, and that recruiting is done under circumstances (provided for by Queen's regulations) which will not interfere with or embarrass the Government now established there. But before making any regulations upon this point I will await the further information which your Excellency will doubtless afford me.

In conclusion, I would add that, under the administration established by me, the Protectorate is self-supporting, that British and foreign commercial and mission interests are very considerable, and that the general conditions of the islands are totally unlike those of the New Hebrides or Solomon Islands.

I have, &c.

JOHN B. THURSTON.

His Excellency
General Sir H. W. Norman, G.C.B., G.C.M.G., C.I.E.,
Governor and Commander-in-Chief,
Queensland.

Enclosure 3 in No. 84.

EVILS OF THE KANAKA TRAFFIC.

Interview with an Island Missionary.

"Daily Telegraph," February 14, 1895.

"The facts of the labour traffic are fugitive," said the Rev. W. Gray, an island missionary, who lectures on the subject in the large hall of the Y.M.C.A. this evening, and the man who wants to see things as they really are must go and engage himself to a plantation and work along with the Kanakas. It is impossible for anybody with a white necktie round his neck, or a notebook in his hand, to get a fair idea of the true state of things. Of course the treatment varies on different plantations. On some plantations there is nothing to complain about, and such cases are cited by those who undertake the defence of the traffic as a type of the whole. Now and then it happens that a 'boy' is able to look out for himself. Suppose, for example, that bad food is supplied on a plantation at Childers. One boy, who knows his way about better than the rest, will perhaps make a collection of the dinners served out to his mates, and, putting them in a basket, will take the train to Maryborough, with the object of interviewing the inspector there. Then, when he gets there, he will take a handful of food and say, 'This feilow no kaikai belong boy.' The inspector will reply, 'Oh, he all right.' Then the Kanaka will stick it under the inspector's nose, 'You eat him.' This the official politely declines to do, but, all the same, he pays a visit to the plantation, and there is a marked improvement in the food supplied to the Kanakas. Whether such a course is taken depends upon the 'boys' themselves. Some 'boys' are not bold enough to adopt it, and the 'boy' who is stands a poor chance of re-engagement at the end of his term.

"As a rule, the people of Brisbane know nothing about what goes on in the north. Hence many defend the labour traffic in ignorance of the actual facts. Even those who go north to see things for themselves return to town very little better able to form an opinion than they were before. Their visit is known beforehand; they are shown over the best plantations, and these plantations they see under the most favourable circumstances. Then they come home and report what they have seen, and the planters quote their statements. Both the planters and those engaged in the traffic look upon the 'boys' as less human than white men, and are, consequently, less sensible of the injustice done to them. If you ask me the private opinion of the officials in charge of the traffic, I can only say that in some cases I know it to be against it. At the same time they have the law to administer, and they administer it, and for the most part say nothing

about their own convictions in regard to the matter. Then, as to the missionaries at work amongst the Kanakas on the plantations, however strong their objections to the traffic may be, they are unable to say much about it, for the obvious reason that by doing so they would cut themselves off from the opportunities of much useful work. The working classes of Queensland have, as, of course, you know, been strong opponents of Kanaka labour. At the present time, however, the traffic directly affects only the agricultural labourers employed on the plantations. Hence the agitation is not just now as energetic as it might be. Besides, so long as the Kanaka remains on the plantations, there is less likelihood of the introduction of the Indian Coolie, which from the standpoint of the working classes, would be still more objectionable. In this respect the Kanakas, who are not numerous, form a sort of barrier, keeping back a flood of coloured labour from sources that are practically inexhaustible, whilst the great racial question, as far as Australia is concerned, is getting itself settled one way or another.

"The death-rate of Kanakas in Queensland is enormous. Here are some figures. In 1892 the mortality of the white population amounted to 12·06 per 1,000, whilst the death-rate amongst Kanakas was 47·74 per 1,000, and that was a decrease of one in 2,000 as compared with the previous year. In 1893 the death-rate of whites was 13·34 per 1,000, and of Kanakas 52·57 per 1,000. It must be recollected, too, that the statistics, as far as the white population is concerned, represent the mortality amongst men, women, and children of all ages, whilst the statistics in reference to the Kanakas represent the death-rate amongst the picked males of the Islands. What is more, the figures to which I have alluded, startling as they are, would be still more telling if we had but a record of the poor fellows who die on board ship as they are returning home, or who die after they have actually returned, from the effects of plantation life. Unfortunately we do not know the average normal death rate of Kanakas on the islands. I have, however, statistics bearing upon this point as far as the small island of Aniwa is concerned, and there it amounts only to 12 per 1,000, including persons of both sexes and all ages; and I should think that on the heathen islands it could not be more than 15 per 1,000. Another thing; the death-rate in Queensland rises and falls with the number of new-chum Kanakas at work on the plantations. Indeed, the registrar in one district told me that he thought the death-rate of Kanakas who have been less than six months on plantations amounts to something like 180 per 1,000. It is well known that if the 'boys' get over the first year on the plantations they become acclimatised, and the death rate amongst them is not so high.

"Another point worthy of notice is the large number of idle Kanakas to be seen at the various centres of population, like Maryborough, Bundaberg, and Mackay. This state of affairs is brought about by various causes. One reason for it is, that when a boy becomes 'troublesome' he is 'spotted,' and the planters decline to re-engage him. Then 'boys' know bad masters, and refuse to enter into engagements with them. The high rate of wages paid to time-expired Kanakas, too (said to be from 20*l.* to 40*l.* per annum), enables certain 'boys' to work for a few months, and then idle for the rest of the year. When they are not working they live in eating-houses kept by Chinese, and it costs them about 1*s.* 6*d.* a day. I examined a batch of agreements in one of the depôts. They included the agreements made by 39 Kanakas, the period of engagement extending from one month to 12 months. The highest wage was 31*l.* per annum, and the average wage just a little over 25*l.* per annum. The planters are now demanding legislation with a view to compelling the Kanakas either to engage or return to the islands. They think, apparently, that the effect of a law of this kind would be to force the 'boys' into engagements, and thus, by increasing the supply of labour, to decrease its cost. In point of fact, however, one of the chief inducements to a Kanaka to leave his island is the prospect of walking about the town, and thus, if he was forcibly prevented idling in the way I have described, he would simply return to the islands and refuse to re-engage. Such a law would thus, undoubtedly, defeat its own end."

In conclusion, Mr. Gray explained that the strongest reason for the abolition of the traffic was the fact that the 'boys' engaged without really understanding the nature of the service upon which they were about to enter, and that in a large per-centage of instances their banishment resulted in fatal consequences.

No. 85.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 9, 1895.)

[Answered by No. 90.]

Government House, Brisbane,

February 28, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 11th October last,* in which I forwarded, for your Lordship's information, copies of certain documents respecting the labour vessel "May," I have now the honour to transmit copy of a report which has been furnished by the Immigration Agent respecting her recent voyage.

2. I would draw your Lordship's attention to the circumstance that the 74 recruits brought by the "May" all came from the Gilbert and Ellice Islands, from which hitherto labourers have not been brought to Queensland.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 85.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

SIR,

February 7, 1895.

THE return of the labour ship "May" to Bundaberg on the 23rd ultimo, affords me the honour of reporting upon her recent and 15th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 150 Islanders, and a license was granted to enable the master to recruit that number for five plantations belonging to Messrs A. H. & E. Young in the Bundaberg district.

J. P. Doig was the master and Mr. N. R. de Vaux the Government Agent.

The ship left Brisbane on the 28th of September last, having no returning Islanders on board.

Recruiting commenced at Funafuti on the 13th of November, and was prosecuted through the Ellice, and Gilbert groups, finishing at Ocean Island on the 5th ultimo, having occupied 54 days, during which period 75 recruits were obtained, viz :—64 males and 1 female, one of these, No. 53 "Tamer" went ashore again.

On the 6th of January the ship took her departure from Ocean Island, for Queensland, carrying 74 recruits who were all brought from the Ellice and Gilbert groups, including :—

- | | |
|----|--|
| 1 | who had been previously employed in Sydney |
| 2 | " " " " Samoa. |
| 7 | " " " " Honolulu. |
| 10 | " " " " Fiji. |
| 5 | " " " " Tahiti. |
| 1 | " " " " in mail steamers. |

The Health Officer passed all the Islanders excepting No. 50 "Tartoker" who was suffering from diarrhoea and put under medical treatment.

The recruits are said to be a very fine lot of people, but probably of hasty temper, of which the inspector at Bundaberg has taken note with a view to advising employers. A few pigs were taken on board the "May" while at the Islands, but simply for use as food, not trade.

With regard to Regulation 46, no money was forwarded by the "May" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

The Government Agent reports "the hull and rigging of the 'May' are in fair order and condition."

I enclose herewith tracing of the course of the ship showing places where Islanders were recruited, and append extracts from Mr. de Vaux's log relating to recruiting of the Ellice and Gilbert Islanders.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N BRENNAN,
Immigration Agent.

APPENDIX.

EXTRACTS from the GOVERNMENT AGENT'S LOG *re* recruiting Islanders at the Ellice and Gilbert Islands.

11th November 1894.—Anchored at eastern side of the lagoon, at Fumafuti or Ellice Island. A great number of the Natives came off in boats and canoes to see the ship. They are all Christians, and most pleasant people to deal with; they have Native magistrates and police to keep order.

12th November 1894.—We went away with our boats to the south-west end of the lagoon, to the other township, and explained to the native Chief and missionary our errand to their island. They seemed to like the idea of going to Queensland, and said they would talk the matter over and return our visit on the morrow. We then returned to the ship.

13th November 1894.—During the day nearly all the Natives visited, three of whom engaged; they then went ashore with their friends, to come on board again when the ship was ready for sea.

14th November 1894.—Ship full of Natives all day.

Enclosure 2 in No. 85.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
February 27, 1895.

SIR,

IN accordance with your instructions, I have now the honour to furnish a supplementary report upon the last voyage of the labour schooner "May" to the Gilbert and Ellice Islands.

The "May" was the first ship from Queensland to go to these groups. The Ellice Islands are just simply coral reefs with a sandy soil, and very little vegetation except cocoanut palms and pandanus trees.

The inhabitants have fairly good houses, and they are kind, hospitable people, and the majority of the women are extremely pretty.

Their form of greeting is the same as that of the Maoris, rubbing noses; their principal food is shark and fish and cocoanuts; the fish they eat raw, a practice followed probably on account of the scarcity of firewood.

The islands are wonderful places for children; the children outnumber the adults, I should say, four to one.

The Samoan type predominates in the Ellice group; the dress usually is a very handsome girdled petticoat, but when there are white people present the women wear a calico dress and the men a shirt and the "lava lava," or loin cloth, such as is worn in India.

There is quite a system of government, with Native magistrates and police, the group, with the Gilberts, being under British protection.

The moral code as between the sexes is strong in the letter, but not so in the observance, though any misbehaviour is punished with a fine of about 10 dollars, with the option of three months' work on the roads. The magistrates and police, it may be added, are under a Deputy Commissioner, who resides in the Gilbert Group, and the Government is feared as well as respected.

The British flag was hoisted on the groups by Captain Davis, of the "Royalist," who disarmed the Natives and instituted a system under which the sale of firearms, gunpowder, and grog to the Natives is forbidden.

All of the Ellice Group have Samoan native missionary teachers; there are no white missionaries there, but a few white traders, copra men, have established themselves.

There is very little water on the islands, and what there is cannot be said to be good.

The rainfall is very small, and in some parts the residents say they have had no rain for four years. The copra trade has been much affected by this want of rain, and the cocoanuts are very small.

At one time the trade was very profitable to white men, but they do not make much now on account of the small size of the nuts.

A feature of the place is the large meeting house, the "Town Hall"; the house is remarkably well built, and both children and adults assemble there to hold services and to study.

At six o'clock in the morning, proceedings are started with a hymn, and the missionary follows with a short sermon, later on the children are taught to read and write.

Recruiting.

They had not had any recruiting there before ; the idea was quite new to them ; we had to go to the Town Hall, and I explained matters to the people, telling them what they were going for, and where they were going, and I pointed out that they would be under Englishmen and Queen Victoria.

I showed them my uniform to impress upon them that I was a Government representative, but I was not always believed ; however, we got 27 recruits in the group, fine strapping young fellows, they were the finest type of Polynesians I have ever seen.

The fact of their recruiting seemed to be taken rather as a matter of public rejoicing than otherwise, as food is scarce, and the people were glad to see so many lusty youths provided for ; there was very little sign of regret shown, the Chiefs considered that the islands were over-populated and the wages were a great inducement ; they recognise the value of money.

They have American, Chilean, and Peruvian dollars, as traders have been running there for years, and they are also in touch with Samoa.

As to future recruiting in the Ellice Group, I think it would be a mistake for a lot of ships to go there as they would be as little believed as we were.

If the boys we brought over report favourably at home when they return, I think there is indefinite scope for recruiting there ; 10 or 15 years might be employed at the trade.

The islands are densely populated, and to all appearances the boys are better than those of the Solomon Islands, they are more intelligent and altogether of a better type.

They have no cannibalism, but the moral tone is low, but the influence of the missionaries and the fear of being punished keeps them in check.

The people are fair, but I saw no half castes ; the traders are all married to native women.

From Nunamea, or St. Augustine Island, to the first of the Gilbert Group that we struck is about 120 miles.

The Gilbert Islands are of the same class as the Ellice, but there is a great difference in the inhabitants.

The Malay blood is very plain, and the people were not so hospitable and kindly as in the Ellice Group ; it may be that the scarcity of food had something to do with the lack of hospitality.

It was at the Gilbert Islands that we first heard of the American vessels taking recruits to Mexico, and we experienced difficulty in engaging recruits as the people thought we were Americans ; they could not understand different nations with the same language.

In spite however of that, we would have got plenty of young fellows to recruit, but the older men stopped them.

A brig some four years ago took away 300 of the Natives, and she capsized in a squall off the coast of South America, and all the recruits were lost ; in the next lot taken small-pox broke out, and nearly all died.

The next vessel was a steamer called the " Montserrat," and she took about six hundred boys, none of whom returned, and from whom nothing has been heard ; these recruits were taken from the north side of the group.

There are white traders on these islands also.

White missionaries were first met there at Taputeouea (pronounced Tapa-te-wa-re), there being Roman Catholics and Protestants, the latter Americans.

The Protestants have a vessel called the " Morning Star," and the Sacred Heart Missionaries the " Maris Stella."

There are in the Protestant vessel two females, missionaries, who go ashore and preach at times, but do not remain ashore.

Much has been said about the Gilbert Island men, and though they are fine fellows there has been a great deal of exaggeration.

The best specimen I saw was about 40 inches round the chest, and he stood about 6 feet in height : I can best describe their stature by saying that they average about the same size as the English people.

They are a particularly jealous people, and before a couple live together they undergo a marriage ceremony and receive a certificate or "marriage lines."

Children are very numerous ; we saw very few cripples, and in this respect the difference between the Gilbert and the Hebrides is very marked, nor did we notice any filthy diseases.

The funeral systems are much the same as ours as regards burial, but the graves are not deep, and between lime, which is put in with the bodies, and the work of myriads of crabs, there is little left but a skeleton in a few days.

There has been no recruiting since the Montserrat affair, which was some $3\frac{1}{2}$ years ago, and in some quarters very offensive messages were sent to us when our mission became known.

We, however, got 47 boys, all of whom are able to read and write ; we would have filled up there but could not win their confidence, which has been so much abused in the past.

Going back next voyage with letters from the boys who came with us this time, we should be able to fill up.

The chiefs are agreeable for recruits to go to work with Englishmen, but our trouble was to establish our *bonâ fides*.

Upon the matter of comparing the Gilbert and Ellice Islanders with the ordinary Kanaka, as to which is the better, remains to be seen.

The new boys are better physically, morally, and intellectually ; and, if properly broken in, should be much better at work ; whether they will stand the work is another matter.

They are what might be called "gentlemen Kanakas ;" a more polite people one could scarcely meet.

Further, there is not the slightest risk in recruiting as at other islands ; the only time that they are troublesome is when they have been drinking "sour toddy," a juice extracted from the fruit-bearing stem of the cocoanut, and which, when allowed to ferment, becomes an intoxicant.

When it is fresh it is like cocoanut juice.

On some of the islands the Natives are so badly off for food that I think they take the "sour toddy" to keep off the pain of hunger.

They fight amongst themselves like Kilkenny cats, and use the knife very freely ; every second man one meets bears the scars of battle.

On Tari-Tari or Touching Island there is a white settlement with three large stores, the best is kept by a Mr. Wightman, an American, whose wife and daughter live with him. The store is splendidly equipped, and goods are sold at Sydney prices ; another store is kept by a German, whose headquarters are on the Marshall group, and the third is kept by a Chinaman.

The Deputy Commissioner for the Western Pacific also resides here, but he was absent on a tour round the Islands at the time of our visit.

Butare-tari is the name of the settlement, and it is the only place where decent water can be obtained ; it is stored in very large concrete tanks.

Wood may also be obtained there, a sort of small red mangrove, at 1*l.* per cord ; the water is one cent per gallon.

The view of the white residents is favourable to recruiting, as the food on the Islands is very scarce, and the returning boys bring revenue.

The missionaries join in the view mentioned, and one of them said he would disabuse the minds of the Natives as to the "May's" crew being Americans.

Copies of the Queensland regulations were left at Butari-tari for the Deputy Commissioner, so that he might also be satisfied as to the vessel.

The behaviour of the boys on the passage to Queensland was excellent, and they seemed very much pleased and interested with what they saw upon arrival.

I have, &c.

The Immigration Agent,
Brisbane.

WALTER DE VAUX,
Government Agent.

B/C.—The Principal Under Secretary, for his information.
28th February, 1895.

J. O'N. BRENNAN.

No. 86.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 9, 1895.)

Government House, Brisbane,
MY LORD MARQUESS, February 28, 1895.

I HAVE the honour to transmit for the information of your Lordship copy of correspondence,* commencing with a letter addressed by the Rev. F. J. Paton to the Assistant Commissioner, Western Pacific, respecting an irregularity alleged to have been committed in the recruiting of native labourers at Malekula by the schooner "Helena."

2. Your Lordship will see that the Chief Secretary after inquiry is not at present disposed to attach blame to the Government Agent or the officers of the "Helena" in connexion with the matter but that it has been thought right to issue instructions to Government Agents with a view to prevent a recurrence of the practice of recruiting women from boats or canoes except in cases where the Chief is present, is personally known to the Government Agent and officers of the ship, and gives his consent to the engagement of the women. The Chief Secretary also intimates that if Mr. Paton renews his report furnishing further particulars the case will again be inquired into.

3. A copy of the letter of the Chief Secretary and its enclosures has been forwarded to his Excellency the High Commissioner and also to his Excellency the Commander-in-Chief of Her Majesty's Naval Forces on that station and it will be observed that the latter will cause the matter of the complaint to be inquired into this season by the senior officer of the New Hebrides division.

4. No reply has as yet been received from the High Commissioner.

I have, &c.

H. W. NORMAN.

Enclosure in No. 86.

SIR, "Orlando" at Hobart, February 16, 1895.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 9th instant with enclosures, on the subject of a representation made by the Rev. F. J. Paton respecting an alleged irregularity in recruiting at Mallicolo by the schooner "Helena," and to inform your Excellency that the matter will be inquired into this season by the senior officer, New Hebrides division.

I have, &c.

His Excellency CYPRIAN A. G. BRIDGE,
General Sir Henry Norman, G.C.M.G., Rear Admiral.
Governor and Commander-in-Chief, Queensland.

No. 87.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 15, 1895.)

Government House, Brisbane,
MY LORD MARQUESS, March 6, 1895.

IN continuation of my Despatch of the 21st September last,† in which I forwarded for your consideration copies of certain documents respecting the labour vessel "Lochiel," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

2. I regret much that the instances of boats being fired on by Islanders and fire being returned have become more frequent of late and I have forwarded copies of the reports

* See Enclosures in No. 81.

† Not printed.

in this case to the Naval Commander-in-Chief and to the High Commissioner, Western Pacific.

I have, &c.

H. W. NORMAN.

Enclosure in No. 87.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
February 14, 1895.

SIR,

THE return of the labour ship "Lochiel" to Brisbane on the 30th ultimo, affords me the honour of reporting upon her recent and 21st voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 143 labourers and licenses were granted to enable the master to recruit that number for five plantations belonging to Messrs. A. H. and E. Young in the Bundaberg district.

R. Pearn was the master and Mr. J. C. O'Brien the Government Agent.

The ship left Brisbane on the 10th of September last, having seven returning Islanders on board, and arrived at Tanna on the 21st of September.

Six returns were landed at places other than those mentioned in the outward list, in all cases at their own request. (See Appendix A.) Return No. 7 "Sallywarry" having been charged on his arrival in Brisbane by the "May," 21st August last, with the murder of one of his shipmates, and the case being dismissed for want of evidence, was ordered to be returned to his island, was landed at his proper village accordingly. (See Appendix B.)

Recruiting commenced at Tanna on the 22nd of September and was prosecuted throughout the New Hebrides, Banks, Torres, Santa Cruz, and Solomon groups, finishing at Malayta on the 14th ultimo, having occupied 114 days, during which period 37 recruits were obtained, 36 males and one female, two of these, however, deserted, Nos. 27 and 29. (See Appendix D.)

The Government Agent reports "that the Natives proved hostile on five different occasions: at Tanna the boats were fired upon; at Api a few shots were fired at the ship; at St. Christoval the boats were attacked on the beach while recruiting, and at Malayta the boats and the ship were fired at. The only serious result was at St. Christoval when two of the attackers were shot by the return fire from the boats, though whether fatally or not I am unable to say." (See Appendix C.)

On the 15th of January the ship took her departure from Malayta for Queensland, carrying 35 recruits who were brought from the following groups, viz.:—

New Hebrides	-	7
Torres	-	1
Santa Cruz	-	4
Solomon	-	23
Total	-	35

Including 7 previously employed in Queensland.

The health officer passed all the Islanders with the exception of No. 24 "Ahranossy," who is suffering from an abscess in the thigh and is under medical treatment.

With regard to Regulation 46 no money was forwarded by the "Lochiel" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

I enclose herewith tracing of the course of the ship showing where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN.
Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of cases where Islanders were landed at places other than those mentioned in the Outward List, during the Voyage of the Labour Ship "Lochiel."

Name.	Proper Village.	Island.	Extract.
5. Marcer	San Adla	Gana	1894. 1st October. At anchor at Havannah Harbour. After the boats got back, one of the returns, No. 5, "Marcer," a Native of Lacona Island (Gana), and who is shown on my outward list to be returned there, expressed a wish to land at the village of Nanavo, Havannah Harbour, Sandwich Island, where, he stated, he wanted to join and work with his brother who owns some land there. I sent him ashore to look round the place first and satisfy himself, and as he afterwards strongly repeated his request to land there, allowed him to do so with his effects.
6. Kola	Quasson	Api	12th October. The following return was landed at a place pointed out by him (Mr. G. Parhean's Copra Station). The name of the passage given in my outward list was Quasson, unknown to the few Natives who were on the beach; but as I found that the return was able to ascertain from them in their own language the whereabouts of a Chief he mentioned, who lived a little way inshore, and whom he wanted to join, I allowed him to land there. No. 6, Kola.
1. Ootingot	Libielin	N. Ireland	14th December. At Guadalcan, where the following returns were landed at their own special request, on a small island named Aola, which is close to the mainland:— 1. Ootingot. 2. Malieto. 3. Hoobrooka. 4. Tosey.
2. Malieto	Cowkwa	Guadalcanar	
3. Hoobrooka	"	"	
4. Tosey	Ohrassie	Malayta	

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG relating to the landing of return Islander "Sallywarry" per Labour Ship "Lochiel," 1894.

28th October, Aoba.—The Islander was met by friends, and before being landed at Tallywoondo was supplied with a quantity of trade (tobacco, pipes, matches, and three pieces of coloured calico) in accordance with the directions given by the Immigration Agent in a letter to the Government Agent, dated 7th September 1894. I also, as directed, as fully as possible explained to the Natives the reason of this boy's return, *i.e.*, for murder of a shipmate on the "May."

APPENDIX C.

EXTRACTS from the GOVERNMENT AGENT'S LOG relating to the Labour Ship "Lochiel" and the ship's boats being fired upon by Natives during the Voyage, 1894.

22nd September. Tanna.—Boats working in the vicinity of Black Beach morning and afternoon without avail. About 4 p.m., as we were working past a place about half a mile on the near side of the Point which bears S. by W. from Black Beach, and about three miles from the anchorage, the "covering boat" was, without the least warning, fired upon in a sort of irregular volley; from four to five shots. As one of the bullets whizzed close over our heads and a couple splashed close to the boat, all hands returned the fire for a few seconds, and we pulled out seawards, being at the time about 350 yards from the shore and about 50 yards behind the recruiting boat, which acted likewise. Only one Native was seen disappearing after the shots, the scrub being very

dense and close to the water edge. The tribe could not, I think, have known what ship or nation we belonged to, as they had not given us an opportunity of going in to see them, and I can give no reason for the attack.

12th October. Emu Cove, Api.—Just before anchoring at this place the ship was fired on (five shots) by the Natives who were hidden in the scrub on shore. The bullets passed overhead, and the fire was not returned.

3rd December. At anchor in Havana Harbour, San Christoval, till about 4 p.m.—Boats out working the vicinity during the day. About 3 p.m. the following two boys were recruited :—

14 “Ta-wy-a.”

15 “My-a-hin-ova.”

After these boys were taken on board the ship the boats again put into the tribe or tribes to which they belonged, the number on the beach being approximately 35 to 40, with others who could be seen at times in the adjacent scrub, some armed with spears, others with tomahawks, and, so far as I could see, three Snider rifles.

The recruiting boat had only been amongst them a few minutes, with the covering boat about 30 yards outside it, when I noticed a Native poising his spear behind the recruiter in an unmistakable manner. One of his (Recruiter's) boat's crew boys, at the same time, saw this, and called out while looking for his rifle. Immediately spears were thrown, and shots fired back as quickly as possible, at the same time getting out to sea. I myself used up what ammunition I had in my Winchester rifle (five rounds) without, so far as I could see, any result, but from the boat's crews (the white men and the Islanders) it appears that one Native was knocked over, shot, and another seemed to have been hit in the arm. Nobody in the boats was hurt, which I attribute to our having been fully on the alert, as during the day the talk and movements of the Natives on the beach and the (unusual) absence of women and children gave rise to suspicion. I can assign no reason for the attack, which was evidently premeditated. The ship got under way at once to avoid further trouble, the land being on one side quite close to the anchorage.

28th December. Anchored at Malu, Malayta.—Boats worked around the bay during the afternoon. Just about sundown, as they were returning to the ship, and from 80 to 100 yards from the shore, a couple of shots were fired at them from the dense foliage, without effect.

The fire was returned by both boats in the direction from whence the smoke issued. The local Natives assign the blame to bushmen, who are stated to be waiting retaliation on white men owing to boys dying in Samoa, &c.

29th December. At anchor at Malu, as yesterday.—Ship about 350 yards from the shore. Boats did not go out during the day owing to warning from friendly Natives that the bushmen were lying in wait to shoot at them. Two shots were fired at the ship by some one hidden in the foliage during the afternoon, but both were misses. A few rounds were fired back at the spot. Three Natives sleeping on board.

APPENDIX D.

EXTRACT from the GOVERNMENT AGENT's LOG relating to the Desertion of two Recruits during the Voyage of the Labour Ship “Lochiel.”

11th January 1895. At anchor at Port Diamond, Malayta.—Last night, some time between 10.30 and 11 p.m., two boys deserted by swimming ashore, viz. :—

No. 27 “Eelamoo” } Passage, Uhumbura Malayta.
 „ 29 “Ai-bussy” }

One was seen in the water by a man on watch, and a boat was lowered and put off to pick him up, I myself accompanying it, but he was not found (both got ashore in safety I was to-day told by the Natives). Later on in the night a canoe filled with men came alongside the ship with one of the boys in it, No. 29 “Ai-bussy.” I satisfied myself that they were on friendly terms with that boy's tribe, and then told them to take him back to their village for the night, and that the boat would come in the morning. I accordingly went to their passage, Singara-go, before breakfast, and the boy “Ah-bussy” appeared. He, through the Interpreter, stated that he did not want to go aboard the ship again, so I left him there, telling him to get back to his own place, which, through a track over the hills, is easily and safely got to.

No. 88.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received April 15, 1895.)

Government House, Brisbane,
March 7, 1895.

MY LORD MARQUESS,

I HAVE the honour to forward, for the information of your Lordship, copy of a report to the Naval Commander-in-Chief by Lieutenant and Commander Cuddy, of H.M.S. "Karakatta," relative to the complaint made against the recruiting vessel "William Manson" by Natives of La Menu Island.

2. The master and Government Agent of the "William Manson" have been committed for trial at the Supreme Court at this place for kidnapping, and as it appeared upon further inquiry that Lieutenant-Commander Cuddy estimated the value of the huts destroyed at La Menu Island at 25*l.*, the Queensland Government has taken measures to cause payment to this amount to be made to the proper persons on the approaching visit of the labour vessel "Helena" to that island.

I have, &c.

H. W. NORMAN.

Enclosure in No. 88.

COMPLAINT against the QUEENSLAND RECRUITER "WILLIAM MANSON."

H.M.S. "Karrakatta" at Ambrym.

November 12, 1894.

SIR,

WITH reference to the attached letter from H.M.S. "Dart" and the minutes of the joint commission, dated 21st October 1894, I beg to report that I have made a full inquiry on the spot to-day, relative to the complaint made by Natives of La Menu Island against the Queensland recruiting vessel "William Manson."

2. The Natives state that about two months ago, two boats of the "William Manson" crossed from Facio's store, Ringdove Bay, Epi, to La Menu, where the crews landed. They had not been on shore long before they fired on the Natives and set fire to four of their huts which were burnt to the ground. I visited the village and found their statement, so far as regards four huts having been burnt down, correct. On inquiry from the Natives as to whether they had given any provocation, they replied "No," but that they fired on the "William Manson's" boats after the outrage, and when they found they could get no compensation.

3. Timi, a Chief, states that the boats also took away his wife, named Oluma or Elumie, without his consent, and he asks that she may be sent back.

4. The Natives further state that the crews of both boats of the "William Manson" were drunk when they came on shore, and also that two boats of the "Helena" witnessed the outrage, but the crews did not land and took no part in it.

5. The whole of the Natives' statements, with the exception of that referring to Timi's wife, are borne out by Harry Gillies, manager of Mr. Facio's store at Ringdove Bay, who made the following statement to me yesterday:—

"On 28th September last two whale boats of 'William Manson' came to Ringdove Bay, Epi Island, and after having drink from the store, they left for the Island of La Menu. About half an hour afterwards there was a big fire on the Island, and I also noticed, at same time, two boats of the 'Helena' lying off. Later on the 'Helena's' boats came over here and reported 'William Manson's' boats had set the place on fire at La Menu.

"On 29th the Natives came over here and reported it.

"The Government Agent and recruiter of 'William Manson' were in the boats when they left Ringdove Bay, and I am of opinion they, and both boat's crews, were then under the influence of drink."

I have, &c.

J. CUDDY,

Lieutenant and Commander and Senior
Officer, New Hebrides.

The Commander-in-Chief,
Australia.

November 20th, 1894.

P.S.—Having fallen in with the recruiting vessel "Helena" on 20th November, whilst she was engaged recruiting off Ambrym, I caused her to be boarded and obtained

from the master a statement of what he knew of the outrage at La Menu, which I append.

The Government Agent, recruiter, and the men who were in the "Helena's" boats at the time of the outrage were all away in the boats recruiting when boarded to-day.

J. CUDDY,
Lieutenant and Commander H.M.S. "Karrakatta"
and Senior Officer, New Hebrides.

The Commander-in-Chief,
Brisbane.

STATEMENT of W. R. REYNOLDS, Master of "HELENA."

Our boats were going on shore at La Menu for the purpose of recruiting, when they heard firing on shore and saw two boats of "William Manson" on the beach with only two of the crew in them. When they heard the firing, the "Helena's" boats came over to Facio's store, Ringdove Bay, where I already was; they did not land at La Menu, but reported to me the boats of "William Manson" had set the place on fire there.

W. REES REYNOLDS,
Master.

The above statement was made and signed in my presence.

H. ROGERS,
Sub-Lieutenant, H.M.S. "Karrakatta."

20th November 1894.

COMPLAINT against ENGLISH barque "WILLIAM MANSON."

H.M.S. "Dart" at Port Sandwich,
October 2, 1894.

SIR,

I HAVE received information from Charlie Anderson, trader, that on the 28th September some men from the above barque landed at La Menu Island, N.W. corner of Epi, and burned some native huts.

2. The Natives subsequently went on board and requested payment for the damage done; this was refused and they are prepared to make their complaint to the first man-of-war.

I have, &c.

The Senior Officer,
New Hebrides Division.

HERBERT E. PUREY CUST,
Lieutenant and Commander.

No. 89.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received May 27, 1895.)

Government House, Brisbane,
April 19, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 31st October 1894,* in which I forwarded for your consideration copies of certain documents respecting the labour vessel "Coquette," I have now the honour to transmit a copy of a report which has been furnished by the Immigration Department respecting her recent voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 89.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
April 8, 1895.

SIR,

THE return of the ship "Coquette" to Townsville on the 19th ultimo, affords me the honour of reporting upon her recent and first voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for one hundred and fifty Islanders (150), and licenses were granted to enable the master to recruit one hundred and thirty (130) for three (3) employers in the Townsville and Burdekin districts.

W. Connell was the master and Mr. A. C. Cecil the Government Agent.

The ship left Brisbane on the 16th of October last, having seventy-seven (77) returning Islanders on board, and arrived at Tanna on the 30th of the same month.

The returns were all landed at their proper villages or passages, with the exception of three (3) landed elsewhere at their own request. (See Appendix A.)

Recruiting commenced at Tanna on the 31st of October last, and was prosecuted throughout the New Hebrides and Solomon groups, finishing at Guadalcanar on the 26th of February, having occupied one hundred and nineteen days (119), during which period eighty-four recruits were obtained, viz. :—79 males and 5 females.

On the 26th February the vessel took her departure from Guadalcanar for Queensland, carrying 84 recruits, who were all brought from the New Hebrides and Solomon groups, including—

16 previously employed in Queensland.			
2	"	"	and Fiji.
4	"	"	Fiji.
1	"	"	Samoa.

The health officer passed all the Islanders excepting 82 "Loomah," who is in hospital suffering from "oidema of thigh."

With regard to Regulation 46 no money was forwarded by the "Coquette" for distribution to relatives of labourers who have died under engagement in Queensland.

Mr. Government Agent Cecil reports that the vessel grounded on a reef off Beuna Vista on the 30th of December, and on the 5th of February she bumped heavily on a coral head off Guadalcanar several times. (See Appendix B.)

I enclose herewith tracings of the course of the ship showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACTS from the GOVERNMENT AGENT'S LOG of cases where Islanders were landed elsewhere than at their own Villages, at their own request, during the Voyage of the "Coquette."

Name.	Proper Village.	Island.	Extracts.
No. 1 Mar	Outas	Ambrym	1894. 12th November. The boy "Mar" was landed at Feemig Paama, at his own request, <i>vide</i> note in my log of 8th instant:— 8th November. "Mar" states that he wishes to be landed at Paama. He is afraid to land on Ambrym, as he is a bushman and afraid of being killed.
17 Toomary	Waggawoo	Aoba	14th November. "Toomary" says he wishes to land with the Mallicolo boys at Port Sandwich. He says he does not want to go back to Aoba, because he does not belong there, and he dare not go back to his own island, Santo, because he killed a man there, and the man's friends want to kill him. I shall comply with this request.
49 T. Marta	Anna	Aoba	15th November. "Toomary," 17, was landed as requested, 14/11/94. 21st November. The woman "Marta," 49 T. was landed as requested, <i>vide</i> Log, page 1, 15/10/94. 15th October. The Aoba woman, 49 T., "Marta," wishes to be landed at Pentecost with her husband, 48 Barey T.

APPENDIX B.

EXTRACTS from the GOVERNMENT AGENT's LOG relating to the Vessel striking "Buena Vista reef," and also on one near Tanna.

30th December 1894. Aground off "Buena Vista," Florida. At 6.10 p.m. the vessel took the ground on a reef off the east side of Buena Vista, and will have to remain there till the high tide comes again, which will be some time to-morrow.

31st December. At about 1.30 p.m. the vessel floated off the reef, after being on for about 20 hours.

5th February 1895. At anchor off Tagananna, Guadalcanar. Hove up the anchor at daylight, and at 2.10 p.m. the anchor was let go to save the ship from going ashore. Shortly after anchoring, the vessel bumped heavily on a coral head several times. Hove up the anchor, and anchored again at 3.25 p.m., at a safer distance from the shore in 24 fathoms.

No. 90.

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

[Answered by No. 103.]

SIR,

Downing Street, May 27, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th of February,* transmitting a report from the Immigration Agent respecting the recent recruiting voyage of the "May," with a supplementary report from the Government Agent, Mr. Walter de Vaux.

As I observe that this was the first visit of a recruiting vessel from Queensland to the Ellice and Gilbert Islands, I request that you will submit to your Ministers the expediency of suspending all further recruiting from these groups, which are now under the protection of the British Crown, till the present recruits are returned home.

This arrangement will give time and opportunity for ascertaining whether men recruited from these Islands are able to stand work on sugar plantations, a matter which appears at present to be open to grave doubt.

By that time, also, it is hoped that the administration of the Ellice and Gilbert groups will have become established on a firmer basis, and that recruits offering themselves, would do so with a full knowledge of what they were undertaking.

A further point which has been noticed in Samoa, is the difficulty which has been experienced on the German plantations in managing men who have come from the Gilbert Islands.

I have, &c.
RIPON.

No. 91.

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received June 4, 1895.)

Government House, Brisbane,

April 24, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 24th October last,† in which I forwarded for your consideration copies of certain documents respecting the labour vessel "Para," I have now the honour to transmit copies of reports which have been furnished by the Immigration Department respecting her recent voyage.

2. I regret to observe that on this voyage the boats were fired at, at Laconæ, and the fire returned, but no one was hurt.

I have, &c.
H. W. NORMAN.

* No. 85.

† Not printed.

Enclosures in No. 91.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
February 18, 1895.

SIR,

THE return of the labour ship "Para" to Brisbane on the 8th instant affords me the honour of reporting upon her recent and 15th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for 176 Islanders and licenses were granted to enable the master to recruit that number for two plantations in the Mackay and Geraldton districts.

Mackay was the master and Mr. W. H. Lawrence the Government Agent.

The ship left Brisbane on the 16th of October last having one returning Islander on board and arrived at Tanna on the 1st of November.

The returning Islander No. 1 "Pooarlow" was landed at his proper village.

Recruiting commenced at Tanna on the 1st of November and was prosecuted throughout the New Hebrides, Banks, Torres, and Solomon groups, finishing at Supina, Malayta, on the 25th ultimo, having occupied 86 days during which period 105 recruits were obtained, 97 males and 8 females.

*On the 27th of November, at Lacona, the boats were fired on, the fire was returned but no one was hurt.

On the 27th of January the ship took her departure from Malayta for Queensland, carrying 105 recruits who were brought from the following groups, viz. :—

New Hebrides	-	-	-	-	-	-	30
Banks	-	-	-	-	-	-	23
Torres	-	-	-	-	-	-	12
Solomon	-	-	-	-	-	-	40
Total							105

Including 30 previously employed in Queensland.

2	"	"	Noumea.
1	"	"	Fiji.

†The health officer passed all the Islanders with the exception of No. 50 "Ta-pi-pi" rejected, being lame from a deformity in leg, and No. 47 "Soslewar" who had been sent to the hospital suffering from "Itch."

With regard to Regulation 46 no money was forwarded by the "Para" this voyage for distribution to relatives of labourers who have died under engagement in Queensland.

I enclose herewith tracing of the course of the ship showing places where Islanders were recruited and one landed.

‡Appendix B. is an extract from the Government Agent's log which I furnish for your information.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG relating to the Boats being fired on during the recent Voyage of the "Para."

1894. 27th November off the S.E. side of Lacona. Boats away recruiting. After recruiting two boys from the passage of San Atala the boats were fired on; one of the bullets struck the recruiting boat; we returned the fire but no one was hurt; the boy who fired was a return from the "Empreza" last voyage.

* It should be a practice to advise outgoing recruiting vessels of all reported proceedings of this nature.—W. E. P. O. This will be done regularly.—J. O'N. B. 2.3.95.

† Why was he brought, in face of instructions?—W. E. P. O. The recruit had been passed before and worked in the Colony; special instructions given that they must not be brought under any circumstances.—J. O'N. B. 2.3.95.

‡ The information contained in Appendix B. should be given to all Government Agents sailing for the Solomons.—W. E. P. O. Instructions given to supply all outgoing Government Agents with information in Appendix B.—J. O'N. B.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG Labour Ship "Para," 1895.

January 5th. Anchored at Uru. We got information at Quoi from "Jackie," and "Charlie," two interpreters, and also at Uru, from "Te-wack-ah," a bush Chief, that since the man-of-war "Royalist" shelled the village above Quoi, "Calah," a powerful bush Chief, had joined the two other bush Chiefs to kill a white man and they have increased the payment.

At Quoi they tried by smokes to entice our boats, but failed; and to-day we hear they are massing about 2 miles to the north of us expecting our boats and have tried to draw us down.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
March 8, 1895.

SIR,

REFERRING to your marginal notes in the accompanying report of the "Para's" voyage, I have the honour to inform you that in future a memorandum giving full particulars of all firing upon boats will be supplied to each outgoing Government Agent.

Special instruction has also been issued that lame Islanders must not be brought here under any circumstances.

The information given in Appendix B. will be supplied in full to all Government Agents.

I may add, however, that the salt water or coast Natives invariably caution ships against any danger of being attacked by bush tribes, it being to the interest of the former to keep on friendly terms with our people.

I have, &c.

The Principal Under Secretary, J. O'N. BRENNAN,
Brisbane. Immigration Agent.

No. 92.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 4, 1895.)

[Answered by No. 99.]

Government House, Brisbane,
April 24, 1895.

MY LORD MARQUESS,

IN my Despatch of the 22nd November 1894,* I forwarded to your Lordship copies of two letters from the Chief Secretary of Queensland, dated respectively the 20th and 21st of the same month, respecting the voyage of the labour vessel "William Manson," in the latter of which Mr. Nelson stated that the Government Agent, the captain, the recruiter, and several of the crew had been arrested, and would be brought to trial for very grave irregularities.

2. I now have to report that these persons were committed for trial by the police magistrate at Brisbane for having committed the offence of kidnapping while engaged in the Pacific Island labour traffic, and that after a long and patient trial by Mr. Justice Harding the jury gave a verdict of not guilty, and the prisoners were discharged.

3. I enclose for the information of your Lordship the following documents:—

- I. Copy of letter dated 23rd April from the Chief Secretary.
- II. Copy of report to the Principal Under Secretary from the Immigration Agent, dated 16th April.
- III. Cuttings from "Brisbane Courier," containing accounts of the trial in the Supreme Court.

4. Notwithstanding a careful trial it is to be feared there has been a miscarriage of justice, but your Lordship will see that the men arraigned have suffered severely, and

that the Government Agent has been dismissed, and, with the others, debarred from ever taking part in the labour traffic.

I have, &c.

H. W. NORMAN.

P.S.—Copies of the papers in this case have been sent for the information of the Naval Commander-in-Chief, and the High Commissioner, Western Pacific.

Enclosure 1 in No. 92.

Chief Secretary's Office, Brisbane,
April 23, 1895.

SIR,

IN forwarding, for your Excellency's information, the accompanying final report of the Immigration Agent upon the second voyage of the Pacific Island Labour Vessel "William Manson," I have the honour to invite your Excellency's attention to my letters of the 20th and 21st of November last, respectively, the latter of which communications conveys the fact of the arrest on a charge of kidnapping of the master, Joseph Vos; the Government Agent, G. T. Olver; the mate, A. C. Hall; the recruiter, M. J. Curry; and Alfred Dowsett and Arthur Absolom, two seamen of that vessel.

The inquiries instituted by my direction into statements made, on their arrival in Brisbane, by certain of the Pacific Islanders recruited by the "William Manson" led me to place such a grave construction on the conduct of Joseph Vos, the master of the barque, of G. T. Olver, the Government Agent, and the others implicated, that I referred the case to the Law Officers of the Crown, with the result that the Attorney-General advised the arrest of Vos and the others, and himself supervised the conduct of the prosecution.

Although every care was taken in the presentation of the evidence, and although in his summing up his Honor Mr. Justice Harding pointed out the strength of the case for the Crown submitted to the jury, a verdict of acquittal was returned for the prisoners.

I feel so strongly that, notwithstanding their acquittal, the men arraigned were guilty of breaches of "The Pacific Island Labour Acts" of the gravest nature, that I have caused G. T. Olver, the Government Agent who accompanied the vessel on this and the previous voyage, to be dismissed from the service, and to be with the others debarred from ever taking part in the island trade again, and also intend to prohibit the licensing of the "William Manson" in that trade in future. The men, too, have suffered a long period of imprisonment, and the master, who was a part-owner of the ship, and who seems to me to have been principally to blame, has been pecuniarily mulcted to a large extent in law and other charges and expenses.

Altogether, in spite of what seems to have been in some sense a miscarriage of justice, a severe lesson has been taught to all the offenders named, and to the owners of the vessel, who have lost heavily by the voyage and its consequences, and it is hoped that the publicity which has been given to these proceedings will have the effect of deterring others engaged in the trade from attempting to violate the laws laid down for their guidance.

I have, &c.

HUGH M. NELSON.

Enclosure 2 in No. 92.

Department of Immigration
Pacific Island Labour Branch, Brisbane.
April 16, 1895.

SIR,

I HAVE the honour herewith to furnish a report upon the 2nd voyage of the labour barque "William Manson," out of which arose the recent trial for kidnapping of Joseph Vos, master; George T. Olver, Government Agent; Alfred C. Hall, mate; Michael J. Curry, recruiter; Alfred Dowsett, and Arthur Absolom, seamen.

As you are aware, the trial commenced upon the 11th ultimo, and finished on the 23rd of the same month, when all the prisoners were acquitted.

The charge upon which they were tried was the taking by force at the passage of Urass, on the island of Malayta, on the 21st May last, three islanders named Erringa, Sooquow, and Zeelotta, and carrying them on board the "William Manson."

There were three other charges of a similar nature, but they were withdrawn after the conclusion of the first.

The complaint upon which the charges were laid was first made to me by one of the recruits named Ambo-oba when the ship returned to Brisbane on the 18th October last, and with reference to it a number of other recruits were afterwards examined by myself in Brisbane, and Mr. Caulfeild, Inspector, in Bundaberg.

The "William Manson" left Queensland upon her 2nd voyage on the 26th April 1894, having on board 191 returning Islanders, and arrived at the island of Malayta, in the Solomon group, on the 12th May 1894.

The landing of the returns at once commenced, and was proceeded with as the ship moved along the coast until the passage of Urass was reached, where the anchor (according to the Government Agent's log) was let go for the first time on the 19th May.

Three returns, Amboo-oba, Try, and Kobey, were to be landed here, it being their intention to form a mission station.

These boys complain that the master (Vos) induced a Chief named Quisoolia, a very powerful fighting man, who lives on the small island of Atta-gee-gee in the Urass passage, to forbid them to land, and he having done so they were compelled to return to Queensland.

There is no doubt that they were prevented from landing, and the Government Agent appears to have taken no action whatever to assist them out of their difficulty, but simply signed them on agreement again as recruits, as a matter of course.

Under such circumstances I am compelled to believe that there is a good deal in their complaint.

Up to this date no recruits had been obtained, but as the vessel sailed into Urass, the Chief Quisoolia just referred to, being on board, some consultation between him and the master took place as to obtaining recruits.

Quisoolia left that evening and came on board again the following day (Sunday) in the afternoon, and from the information supplied to me by the Islander Try, it appears that he (Quisoolia) told the master (Vos) that no "willing recruits" were forthcoming, but he would steal some for him if he wished. Try says that Vos agreed to this, and promised Quisoolia a box and a boat if he would do it.

All the witnesses called for the defence at the Supreme Court denied positively that Quisoolia was on board upon the day in question, and the jury evidently believed them.

It is, however, a most remarkable fact that Quisoolia himself went on board the "Lochiel" on the 7th January last, and told Mr. Government Agent O'Brien, who reported directly he returned to Queensland, that when the "William Manson" came to Urass, her boats worked for *two days* without avail; that he (Quisoolia) told Vos that there were no boys wanting to go to Queensland, that Vos then said to him: "Look here, Quisoolia, suppose boy no want to come, you big fellow King, you catch bushman along boat; suppose you catch ten (10) fellow, me give you one boat."

The "Lochiel" left Queensland before the return of the "William Manson," so that Mr. O'Brien, the Government Agent, knew nothing of the charges until Quisoolia told him.

Early on the Monday morning, the 21st May, the boats left for the shore, the Chief Quisoolia with two of his men being in the recruiter's boat.

The boats appear to have backed on to the beach in the usual manner, the Government Agent's boat covering the recruiter's a few yards out from the water's edge.

Quisoolia and his men got out and mixed with some Natives, who, it is said, had come down to the salt water to the usual fish market, held every morning.

It is alleged that Quisoolia and his two warriors, then each seized a "boy" carrying them into the recruiter's boat, the names of the alleged captives being Erringa, Sooquow, and Zeelotta.

The latter was more powerful than the other two, and used a tomahawk, severely wounding his captor (Cowah) who called to his assistance two of his countrymen who were present.

The three boys named were taken to the ship, the first two being afterwards brought to the Colony, the third being put ashore two days after he was taken, because it is alleged Quisoolia became frightened of his people. All three were bush Natives.

The prisoners who were present in the boats when this "recruiting" took place, (Olver, Curry, Dowsett and Absolom) swore at their trial that no force was used, while three Native boats crew, the recruits Erringa and Sooquow, and the Queen's evidence Nash, said there was.

The Government Agent himself supplied a suspicious circumstance supporting the charge, by altogether omitting to enter the arrival or departure of the third boy (Zeelotta) in his official log, although it was admitted that he remained on the ship for at least two days.

On the same day the boats visited Quisoolia's own island, Atta-gee-gei, and took therefrom by force two women named Zoung-warra and Tow-allie.

Again the Government Agent strengthens the charge, for Zoung-warra, according to his log, was recruited, 11 days after she came on board at Urass, as a Native of another place called Langa Lang, and as being the wife of a re-engaged return named Attam-tow who did not go ashore at that place, and whom she probably never saw in her life until she was brought on to the "William Manson." While Towallie appears in the log as having come on board on the 24th May as the wife of Try, another re-engaged return, who was absent from his island for nine years, and did not even go ashore upon the date mentioned when he was supposed to have brought his wife back with him.

Moreover, he is a Native of Qui, not Urass, though neither is Towallie, for she is a bush Native and was probably about six years old when Try left Malayta.

As a matter of fact I believe Towallie was kept as a single woman on board the ship for about two months, when Try took her as his wife.

Zoungwarra died in the Brisbane Hospital on the 1st January last of inflammation of the brain.

A day or two after the foregoing people were brought on board two trips were made to a small island in the same passage called Soolifow, and upon each a woman was taken by force.

Their names were Berah and Long-yambo, and the latter it is said had her children dragged away from her at the boats.

The women were carried all round the Solomon group, and landed again after being on board for about two months.

The reason given by the ship's people for carrying these two women, is that they came on board expecting their husbands, who failed to turn up, and the ship drifted away, and so they could not be put ashore: a manifest untruth because the ship was at anchor inside the reef when the women were brought on board, and the men they were supposed to belong to were belonging to Manoba, another island north of Urass.

There is no record or entry in any log of any description of these women being on board the "William Manson," and had it not been for the complaint made to me by the islander Amboo-oba directly the ship reached Brisbane, I am quite satisfied nothing would have been heard about them.

The reason given by the recruits for the landing of these women—that they were too old and none of the "boys" would take them as wives, is probably correct.

The Government Agent's log states that on the 22nd May a recruit named Basseah-Carlo and his wife Gualomy were obtained from Quisoolia's island Atta-gee-gei.

As a matter of fact they are Natives of a bush village called Soor, and were taken from the beach of the mainland.

Their story is a very sad one. Living some distance out of their village, at daylight on the morning they were caught they found their house surrounded by a Chief called Eitica and his fighting men.

The house was smashed open and they were dragged out and carried to the beach where the "William Manson's" boats were waiting.

A baby "at the breast" and another child were left behind in the house.

None of the force used on this occasion could be seen from the boats, the couple walked into the recruiter's boat because they dared not do otherwise, and it was only after they arrived that they made known the manner in which they were recruited.

Quisoolia in his statement to Mr. O'Brien previously referred to, says he caught six men and five women for the "William Manson," the fifth man Louie I have discovered, but it appears he came under instructions and elects to stay and finish his time.

Number six cannot be found and if there ever was one, like Louie, I expect he likes the Colony and intends to remain.

Two single women Sowkar and Quimammo were recruited while at Urass between the 19th and 26th May.

Sowkar is entered by the Government Agent as having come from Langa Lang on the 31st May as the wife of a re-engaged return named Mytallo.

Quimammo is entered as being recruited at Soo Harbour on the 13th August; this with several other entries respecting female recruits was admitted by the Government Agent to be false.

From the time the ship left Urass on the 26th May, until she finally sailed for the New Hebrides nothing more of an irregular nature has come to light.

I find, however, an entry dated 10th September, Lacona, New Hebrides, which states that two recruits, No. 82 Oosoos and 83 Oombah, obtained on the 7th of the same month, expressed a wish to be landed again, and that every inducement to remain on

board being unavailing, they were taken ashore at two o'clock by the captain in his own boat.

From what I have gathered since the arrival of the ship I believe that the whole entry in the log as far as relates to the landing of those two "boys" is false.

It is stated by everyone I have spoken to, that they, with a large party of other recruits, were sent ashore to cut down scrub on some land purchased by Vos, and while at work, ran away, and were never seen again either on shore or aboard the ship.

There were on board at this time two Lacona women (not recorded in the log) and it is stated that the desertion of Oosees and Oombah was in some way connected with them.

The vessel left Lacona on the 11th September, and after visiting Santo, Mallicolo, and Ambrym, arrived at Api on the 25th.

On the 27th the boats went to a small island, La Menu, close to Api, recruiting, and returned with three Islanders, two men and a woman, the latter (Ooloomorrie) was obtained from a canoe and claimed to be the wife of one of the men, Koolooah.

It is now pretty certain that she was not his wife and the taking of her by the "William Manson's" people led to a very serious disturbance next day.

It appears that both boats were at Api, where they had gone to pay for some stores and while there the La Menu people came and demanded the return of the woman.

This demand must have been made in real earnest as the Government Agent sent at once to the ship for the woman and handed her back to the people claiming her.

Thus the matter might have ended satisfactorily but the "William Manson's" people became intoxicated and in that condition set out for La Menu.

Upon arrival there some firing took place—accounts differ as to who commenced it—but eventually the recruiter, Curry, and part of the boats crew (coloured and white) rushed the village and set fire to some of the houses close to the beach, four of which were destroyed. I attach a report upon this case by the inspector at Mackay from evidence he took from some of the boat's crew who were present.

The commander of the "Karrakatta" also, as you are aware, reported it, and afterwards assessed the damage done at 25*l*.

Trade to the amount has since been sent to La Menu under your instructions, to be distributed by the Government Agent of the "Helena."

The following people who were brought to the Colony against their will, were returned to Malayta by the brig "Para" on the 13th instant to be landed at the Urass passage, namely :—

Amboo-oba.

Try.

Kobey.

Erringa.

Sooquow.

Towallie F.

Basseah-Carlo.

Gualomy F.

Each was given a liberal allowance of "trade" and the Government Agent was instructed to give the same amount to the friends of Zoung-warra, the woman who died here, if he can find them.

It is to be hoped that nothing more in the shape of irregularities during the voyage of this ship will be discovered to have taken place.

The Government Agent (Olver, since dismissed) who, of course, must be held responsible, appears to have been, for some reason best known to himself, a mere tool in the hands of the master, Joseph Vos, and quite unable at any time during the voyage to take his proper position as Government Agent.

It has been stated in defence of the accused men that what took place on board the "William Manson" is common to all labour vessels.

Such an assertion, as far as Queensland ships are concerned, is untrue and most unjust to the respectable staff of Government Agents in the service.

People who know anything of the trade nowadays are well aware that irregularities cannot take place and remain undiscovered, and the "William Manson" case I submit proves it.

All those who were connected with the voyage of the "William Manson" referred to, although they escaped conviction, have been severely punished, not only by undergoing a long term in prison and being under great expense, but by being debarred from ever taking part in the island trade again. The owners of the ship have been heavy losers also.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENAN,
Immigration Agent.

SUPREME COURT.

Monday, March 11.

IN CRIMINAL JURISDICTION.

(Before his Honour Mr. Justice Harding.)

CHARGE OF KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. G. L. Lukin (instructed by the Crown Solicitor), for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absolam and Alfred Dowsett, seamen, of the "William Manson," were arraigned upon an information laid under 35 & 36 Vict. c. 19, s. 9., charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic. They pleaded not guilty.

The Attorney-General said that before the jury was called he wished to mention one circumstance of the case. This was a case almost of first impression on one particular point. That was the proof of the extent of Her Majesty's jurisdiction.

His Honour.—I felt that as soon as the case came on.

The Attorney-General said that the extent of Her Majesty's jurisdiction was a matter for the Court itself. It was not a matter for the jury. It was a matter for the Court to satisfy itself upon in the way it thought fit.

His Honour.—The Secretary of State sends a memorandum to the Court at home.

The Attorney-General said he would call his Honour's attention to two or three cases, so that if his Honour thought that a certain course would have to be followed—that was to say a reference to the Secretary of State—the difficulty of having the jury impanelled for a certain period could be obviated by not calling them at the present moment. He would call his Honour's attention to these cases and to an *obiter dictum* of his Honour's, by way of assisting the Court. He called attention to these words in the information that described the *locus in quo* as not in Her Majesty's or in the jurisdiction of any civilised Power. The preamble of the statute began: "Whereas criminal outrages by British subjects upon Natives of the islands of the Pacific Ocean, not being in Her Majesty's dominions nor within the jurisdiction of any civilised Power, have of late much prevailed and increased, and it is expedient to make further provision for the prevention and punishment of further outrages." Then section 9, under which the information was laid, read: "If any British subject commits any of the offences . . . decoys the Natives of any of the aforesaid islands for the purpose, &c." He (the Attorney-General) submitted that the course which should be adopted was a reference by the Court to Her Majesty, or to his Excellency the Governor as Her Majesty's representative in this Colony, to inform the Court as to whether the island of Malayta was within Her Majesty's dominions, or within the jurisdiction of any civilised Power. He would quote to his Honour some authorities where this practice had been followed at home, where reference had been made to the Secretary of State by the Judge sitting in court to inform him as to the jurisdiction Her Majesty might exercise over certain persons, and where the Court held that that was the appropriate way, that they were sitting as Her Majesty's Judges, and information derived from her upon that head should be absolutely conclusive.

His Honour.—There is a very recent case.

The Attorney-General.—Yes. The case of *Mighell v. the Sultan of Johore*.

His Honour.—Is that the gentleman who did not marry the lady?

The Attorney-General said that was the gentleman who did not marry the lady, and who was mean enough to plead that he was not subject to the jurisdiction of the Court in order to evade his liability. It was to be found in L.R., 1894, I. Q.B.D., p. 149. The effect of that was that the nature and the extent of Her Majesty's dominions and her relations with other Powers were matter of information of Her Majesty herself, and Her Majesty's courts ought to take any communication from her or her Secretaries of State as decisive or conclusive. Of course in this particular case, if a reference was made by the Court, it would probably be discovered that Her Majesty had established a protectorate over this particular island. What the effect of a protectorate would be would have to be decided by the Court.

Mr. Feez.—I submit that this is an application which should not be made.

His Honour.—It is not an application to me. It is bringing my knowledge of geography up to date.

Mr. Feez.—I submit that any suggestion my learned friend is trying to get from the Bench as to how he is to prove his case—

His Honour.—He is not getting any suggestions out of me, Mr. Feez. No one ever did it yet.

The Attorney-General.—I think I know his Honour too well to attempt to do such a thing.

His Honour.—You are simply addressing yourself to geography. Have you got any cases as to what is not in the jurisdiction of anybody else?

The Attorney-General said he had not. For the purposes of the Court the information given by the Queen or the Secretary of State was always treated as conclusive, because if Her Majesty were to say, "I have no jurisdiction over such and such a place," or if Her Majesty were to say that some one else had, the Court would treat it as conclusive.

His Honour.—It became my knowledge.

The Attorney-General.—It would become your Honour's knowledge at once. He would also quote to his Honour his own remarks in the case of *re Carlo Pedro*, reported in 5 Queensland Law Journal, p. 22. He submitted that a reference to his Excellency the Governor, who was the representative of Her Majesty here, and in communication with her Secretary of State, would be the most available for the Court.

His Honour.—The Governor is the representative of Her Majesty. The Secretary of State is not.

The Attorney-General cited the case of *Taylor v. Barkley* (2 Simon, p. 213) on the question of jurisdiction.

His Honour.—Are there any cases down South?

The Attorney-General.—I have not been able to discover any. Cases of this nature have always been tried here.

His Honour.—Any in Fiji?

The Attorney-General said that if there were any they were in the Court of the High Commissioner for the Western Pacific, who, of course, exercised his own jurisdiction in these matters. He would also call attention to the Foreign Jurisdiction Act of 1890 (53 & 54 Vict. c. 37).

His Honour.—From that it would appear as if this Court had to apply to the Secretary of State direct.

The Attorney-General said that only embodied what was the practice of the Court before. It applied to courts, civil or criminal, in Her Majesty's dominions, but it in no way interfered with the power of the Court to inform itself on these matters in such a way as it thought fit. In the case of *Mighell v. the Sultan of Johore* the statute was not called in aid at all.

His Honour.—Perhaps they did not know about it. A judge is not supposed to know all the new statutes. He is supposed to know the common law of the land and the new ones when they become old, but it is for counsel to bring the new ones under his notice.

The Attorney-General said that what he contended was that there was an inherent right in the Court to inform itself on those matters, and it was the duty of the Court to inform itself on those matters. The statute which he had mentioned simply bound the Secretary of State to make answer when reference was made to him. If his Honour should not adopt the course of referring to his Excellency the Governor, but of reference to the Secretary of State, no doubt that would necessitate an adjournment.

His Honour.—It may or it may not. We cannot talk about that now. I dare say Mr. Feez knows something about geography too.

The Attorney-General said that if a jury were impanelled and the case had to be referred to London it might necessitate keeping the jury together for months.

His Honour.—When the necessity of an adjournment arises the judge has ample power to discharge the jury. When you have imparted all the assistance you can give I will see if Mr. Feez has anything to say which will help me or not. Of course this is entirely informal, but it is very often of very great assistance.

The Attorney-General said that in a case here before all this was proved by calling a Deputy Commissioner of the Pacific, who happened to be in Brisbane at the time, but had never been on the islands. The point in this case was never raised. He had made every effort to get the attendance of a Deputy Commissioner here, but he had failed. He would suggest that all the information could be got by reference to his Excellency the Governor. He was sure that his Excellency could give the information.

His Honour.—Direct, without reference to the Secretary of State?

The Attorney-General.—Yes. I know the Governor is in a position to give the information.

His Honour.—Would you stake your case on it?

The Attorney-General.—Yes, your Honour. If the Court should think it desirable that there should be the evidence of a Deputy Commissioner, there was power to issue a commission for the taking of evidence.

His Honour.—How would that help us?

The Attorney-General said there were no Deputy Commissioners here, but all the officers of Her Majesty's warships were Deputy Commissioners.

His Honour.—I saw in the Press that a warship was now on her way from Sydney—the "Karrakatta," I think.

The Attorney-General said he was not sure whether there was or not. He had hoped to be able to secure the attendance of the captain of that vessel, who was a Deputy Commissioner, and who was personally acquainted with the island of Malayta, but it was impossible to obtain him on account of his duties.

Mr. Feez said he merely wished to say that he could not assist his Honour in any way as regards the question of jurisdiction. He submitted that the question was premature, that the Crown had to prove their case, and that when the question arose it would be time enough to deal with it.

His Honour.—Yes, Mr. Attorney. I am very much obliged for the assistance you have given me, but you have not made any substantive application yet.

The Attorney-General.—Of course I cannot.

His Honour.—Exactly; until you make a substantive application or embarrass me in the conduct of the case I cannot act. I am not embarrassed at present, because the jury are not impannelled, and no evidence has been given. There is, therefore, nothing to embarrass the Court, but when I am I will make use of the learning you have imparted.

After a little further argument the impannelling of the jury was proceeded with.

The following jury were ultimately impannelled:—Robert Jackson, carrier, of Warren Street; Wm. John Clugston, farmer, of Enoggera; John Scanlon, labourer, of Sandgate; Frederick S. Radcliffe, plumber, of Water Street East; James Kindness, carpenter, of Collingwood Street, Red Hill; Christian Prackart, butcher, of Sandgate; James Farry, bootmaker, of Main Street, Kangaroo Point; William Robert Alexander, tobacconist, of Cricket Street, Petrie Terrace; Alexander Thomas Fraser, financial agent, of Queen Street; Charles Henry Grimsey, painter, of Oxford Street; Michael Gorman, salesman, of Princess Street; James Lynch, bookkeeper, of Hudson Road, Albion.

The Attorney-General briefly opened the case for the Crown.

J. O'N. Brennan, Immigration Agent and Officer in Charge of Pacific Island Labour, was the first witness examined. The introductory part of his evidence chiefly related to the documents and books having reference to the proceedings of the voyage of the "William Manson."

On the production of the prisoner Vos's log, Mr. Feez objected to its admission on the ground that it was irrelevant.

Mr. Power said this was supposed to be the official log, but it practically contained no entries.

Mr. Feez.—Everything is entered that should be, Mr. Power.

Mr. Power cited section 28 of the Merchant Shipping Act.

His Honour.—That is gone; it is repealed.

Mr. Power cited section 282 of the old Merchant Shipping Act, which said that every legal conviction of or offence committed by any member of the crew should be entered in the log.

His Honour.—That has nothing to do with this.

Mr. Power.—The prisoner Vos was on the ship at the time the recruits were taken.

His Honour.—That is the question in the case. If the jury say that the offence was not committed, then it does not want to be in the book.

Mr. Power.—Assuming that the offence was committed, he should have entered it?

His Honour.—If he considered it an offence his duty was to enter it. Suppose he never heard of the offence?

Mr. Power.—The evidence is that he could see everything as it was going on, and that he had prearranged the whole thing with Quisoolia.

His Honour.—You do not expect a man to charge himself in his own log-book, do you?

Mr. Power.—In any case there is an omission to make an entry.

Mr. Feez.—No, there is not.

Mr. Power withdrew the book for the present.

The witness then produced the log-book kept by Hall and the ship master's license. He then stated that when the "William Manson" arrived in port he boarded her with Dr. Wray, the Government medical officer. One of the recruits, named Amboo-oba, then made a complaint to him, and he had a conversation with him in the presence of Vos.

Mr. Feez.—He told you a statement of something he had heard that Quisoolia had said to someone else.

Witness.—No.

Mr. Feez.—He did not tell you anything that he knew of his own knowledge, did he?

Witness.—He did not tell me anything he saw.

Mr. Feez.—What he told you was something that he had heard somebody had told to some one else?

Witness.—What he told me was mostly what I suppose you would call hearsay statement.

Mr. Feez.—Then I object to the conversation.

His Honour.—Seriously.

Mr. Feez.—Yes. It is simply trying to get hearsay evidence in because Vos was there.

His Honour.—Not at all.

Mr. Feez.—It is simply an attempt to make evidence against Vos.

His Honour.—It is like this: A man goes up to another man, and says, "John Smith says you are a thief."

Mr. Feez.—Oh, not at all.

His Honour.—It is something said in his presence, and if he does not deny it, it is for the jury to say whether his conduct amounts to an admission or not. Do you seriously object after what I have told you?

Mr. Feez.—Of course I bow to your Honour's ruling.

Witness then detailed the conversation which he had with Amboo-oba, in which a charge of "stealing" boys was made, and the names of the boys and women who were alleged to have been taken against their will were enumerated. After the close of the police court proceedings the boys were kept together, being located for part of the time in the Immigration Barracks, and for the remainder at Peel Island.

Cross-examined by Mr. Feez.—He knew Frederick Nash, and he knew that he had not been in communication with the boys at Peel Island.

Did not Amboo-oba tell you that he did not want to work on the plantations again, but wanted to work "along Jesus Christ"?—No, he did not. He had been Christianised in Queensland. The question of his going on the plantations has never cropped up.

Is it not a common thing for complaints to be made about boys being stolen because their friends have not got the trade?—I have never had complaints of that sort.

Re-examined by Mr. Power.—He had some information about the vessel before she came in.

Frederick Nash, seaman on board the "William Manson," described the arrival of that vessel at Urass passage in May last. It was here that the Chief, Quisoolia, came on board. After that two boats were put off for the shore, the recruiter's boat and the covering boat. In the former were Curry, himself as stroke oar, Quisoolia, and two of his boys.

His Honour.—It seems now that this point must arise. Where is his Excellency now?

The Attorney-General said that his Excellency was at Toowoomba, but if his Honour wished to communicate with him he would undertake to have a messenger sent up with the letter, and get a reply as soon as possible.

His Honour.—Well, Mr. Feez, I do not see why I should not ask his Excellency.

Mr. Feez.—It would be only an impertinence for me to say that your Honour cannot do it; but when the reply comes to be used by my friend, I shall object.

The Attorney-General.—I shall not see it.

His Honour.—It is simply this. I want more knowledge of geography than either of you gentlemen can assist me with.

Mr. Feez.—I submit that the Governor cannot assist you. This is not the same point as in that case of the Sultan of Johore. This is not a question whether a certain

person is a reigning sovereign, but what are the limits of a certain Power. It is a question of locality.

His Honour.—Who can tell me?

Mr. Feez.—I do not know. There is a proper way in which it can be proved. I submit that no communication from the Governor or any other person will enable you to arrive at a decision whether the island of Malayta is within Her Majesty's dominions or the jurisdiction of any civilised Power. The Foreign Jurisdiction Act does not touch upon it, because this is a question of the extent of the jurisdiction of Her Majesty, not the extent of the jurisdiction of some one else.

His Honour.—That is what I call Mr. Attorney's attention to. If we do not get an answer from his Excellency we may be nowhere, and if we get an answer we may be still nowhere. But it would be well, perhaps, to get it.

Mr. Feez.—Your Honour knows that my position as defending the prisoners is such that I cannot assent to anything.

His Honour.—Oh, no. I have stated the question for his Excellency in this way: "Is the island of Malayta, which is an island in the Pacific Ocean, within Her Majesty's dominions, or within the jurisdiction of any civilized Power?"

Mr. Feez.—I may mention for your Honour's information that I propose putting in a proclamation showing that there is a British protectorate over this island.

His Honour. Oh, we may not want this then?

Mr. Feez.—In order to protect any rights—

His Honour.—There is no need to. There is not a word on the notes. I have carefully taken no notes, so no one can know what has happened; but if any of you gentlemen desire anything further I will have the letter re-written.

Counsel intimated that they desired no addition to the letter, and it was then delivered to the proper authority for transmission to his Excellency the Governor.

Nash, continuing his evidence, stated that in the covering boat were Olver, the Government Agent, Alfred Dowsett, Arthur Absolam, and one of Quisoolia's men. He then described the landing of Quisoolia and his men, and the seizure by them of four Islanders. The latter struggled and cried, and one of them succeeded in breaking away, but the others were forced into the recruiter's boat, and, despite their crying and their resistance, conveyed on board the vessel. As soon as the Islanders were forced into the boats the Natives on the shore brandished their tomahawks and levelled their guns at the recruiters. The latter also presented their arms, but no shots were fired on either side.

Cross-examined by Mr. Feez.—Previous to his arrest he made a statement to Mr. Brennan, in which he said that no boy to his knowledge had been brought against his will to Queensland. He was afterwards arrested and prosecuted in the police court. He was remanded from time to time, but did not get bail.

You were very much annoyed at being kept in the lock-up for a week without bail?—I was not annoyed, but I did not care about it.

You were anxious to get out at the time because you were ill, retching and vomiting?—I was retching and vomiting. Yes.

You were very anxious to get out of the lock-up?—I was not very anxious.

Detective Shanahan came to see you, did he not?—I sent for him.

At this stage the court adjourned until ten o'clock on the following morning.

SUPREME COURT.

Tuesday, March 12.

IN CRIMINAL JURISDICTION.

(*Before his Honour Mr. Justice Harding and a Jury of twelve.*)

CHARGE OF KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. G. L. Lukin (instructed by the Crown Solicitor), appeared for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab), for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate, Arthur

Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9., charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Frederick Nash, under further cross-examination, said that the reason he sent for Detective Shanahan when he was in the lock-up was that he was not going to tell lies on his oath. He did not then tell Shanahan that the captain would let him lie where he was until he rotted, and he would not put up with it. Returning then to the proceedings at Urassi Passage, he stated that after the Chief, Quisoolia, came off to the vessel he (Quisoolia) went in a small steam launch belong to the "William Manson," in which Curry, himself, and another man were employed in taking soundings. Quisoolia had brought some boys off with him, but he could not remember what took place when they came on board.

Is it a usual thing for the Chief to lend boys to help in pulling the oaths?—I never knew it before.

Never knew of a Chief lending boys to help to pull the boats?—No.

Do not you know that whether the Chief lends them or not the boys are very glad to get the opportunity of pulling in the boats?—Yes, they are at times.

Do you know if any recruits had been on board before the three boys were obtained?—I do not remember.

Did not a woman named Sowka come on board?—I do not remember, but I think she came on board on the Sunday and the boys were recruited on the Monday.

Sowka came in her own canoe of her own accord?—Yes.

Were the Natives on the beach bushmen or salt water men?—They were mostly bushmen, but there were plenty of salt-water men among them. They were all scattered about the beach.

Do you know of a Chief named Soobah?—Yes.

You know that Erringa is Soobah's son?—I have heard so.

You have heard that he is a very powerful Chief in that district—much more powerful than Quisoolia?—No, I have not.

You spoke of an Islander named Cowah receiving cuts on the arms and thighs; were not these wounds simply a little gravel rash caused by falling on the coral?—No, they were not.

During the whole of the voyage did you ever see any of the defendants in any way interfere with these boys?—No, I did not.

After they were recruited "trade" was sent ashore to the friends of the boys?—Yes.

You have heard that Zeelotta's friends refused to take the "trade," and he was afterwards sent ashore?—Yes.

When the boys were landed on the vessel, were they at liberty to go about as they liked?—Yes.

There were plenty of canoes about the vessel?—Yes.

There was nothing to prevent these boys getting into the canoes, was there?—No, I do not think there was.

Or to swim off if they liked?—No.

Did you ever hear a boy refused to be allowed to go ashore or to swim?—I never heard anyone ask.

Did you ever hear of a boy being refused?—No, I do not think so.

Did you ever during the whole of the voyage hear any complaint from these boys that they had been brought against their will?—No, I did not.

Were not Amboo-oba or Peter and Koby troublesome boys?—Yes.

Were not they always grumbling and making complaints about little trivial matters?—Yes.

They were two of the "missionary" boys, were they not?—Yes.

Do you remember the prisoner Vos threatening to put Amboo-oba in irons?—Not that I remember.

Do you remember them having a row?—I remember them having a row.

What was the cause of the row?—It was about striking a woman. Peter said that the captain had struck a woman.

Was not the cause that the captain found Peter visiting the women down in their quarters at night time?—It may have been, but I was under the impression that Peter said that the captain had struck one of the women.

Did you ever during the whole of that voyage see any other recruit taken away by force?—No, I did not.

You knew a lot of recruits that came voluntarily?—Yes.

And a lot from the same place?—Yes.

What is the custom of paying "trade" at the islands when you get a recruit?—You give it to his friends as a rule, and if the friends do not want the boy to go they refuse the trade.

Did the friends of Sooquow and Erringa take their trade?—Yes.

Mr. Virgil Power (in re-examination): Can you tell salt water boys from bushmen?—Not always.

You say Sooquow's and Erringa's friends took their trade—how do you know they were their friends?

Mr. Feez: I object to this question—the Crown cross-examining their own witnesses in re-examination. It is very unusual.

His Honour: It is said that the custom was when the boys were recruited for the recruiters to give their friends "trade," and that those of the two boys Erringa and Sooquow took the trade, but the friends of Zeelotta refused to take it. Upon that Mr. Power asks how do you know it, and it seems to me to clear it up.

Objection not pressed.

Mr. Power: How do you know that Sooquow's and Erringa's friends got the "trade"?—Quisoolia said they did.

You say you never heard any complaints on board the ship. Were the Islanders able to speak English?—No.

Could they at that time even speak "pigeon" English?—No.

You say you think you saw Erringa swimming?—Yes, around the vessel.

Had you any conversation with anybody before the police court proceedings?—Yes, with Vos. I saw him at the dépôt. He said, "Nash, I think you have as much sense as any of them. With regard to the two women landed, we will have to acknowledge that. In regard to the boys, there was no force used to any of them. You know what to say. We must all tell about the one tale."

How did you come to go to Mr. Brennan?—Vos told me that they wanted the three of us—Absalom, Dowsett, and myself—at the dépôt.

Did you three go straight to the dépôt and there see Mr. Brennan?—Yes.

Was Absalom present when he said no boy had been brought to Queensland against his will?—No, he was not.

Denis Shanahan, a detective stationed in Brisbane, said he received a communication from senior constable Healy on Wednesday, 21st November, in consequence of which on the following morning he went to the North Brisbane watchhouse and saw Absalom. He had a conversation with the latter.

Mr. Power.—What did you say to him?

Mr. Feez.—I ask permission at this stage to cross-examine the witness.

His Honour.—On what ground do you ask to cross-examine him?

Mr. Feez.—To show how this statement came to be made to him.

His Honour.—That is for cross-examination afterwards.

Mr. Feez.—I want to show that the statement was got by a promise.

His Honour.—Oh, they made some alteration in the law last year?

Mr. Power.—Yes, about undue representations.

His Honour.—As the law stands now, then, the better the scoundrel the better the evidence?

Mr. Power.—It arose after the Mount Morgan case, where the detective pretended he was a working miner and got a number of statements made in that way, and it was held that he was making an untrue representation.

Cross-examination allowed.

Mr. Feez.—Now, Shanahan, previous to this statement of Absalom, had you not a conversation with him?—Yes.

Well, you afterwards got a statement from him?—I did.

You told him that if he made a statement you would get him out of gaol?—

His Honour.—Better have what passed first. I am cautious after the previous cross-examination. I did not like that bit of evidence to get on my notes. Something else may get on my notes I do not like. Let us hear what the conversation was.

Mr. Feez.—I am cross-examining. I do not wish to ask him.

His Honour.—I know, but I have the right to keep the cross-examination within such bounds as will be conducive to justice. I do not think that the cross-examination before was conducive to justice.

Mr. Feez.—I do not follow your Honour. If I am to let him tell his own story—

His Honour.—That is just what we want—the truth.

Mr. Feez.—I want to get at the truth—that is exactly what I want.

His Honour.—It is his own story that would be the correct story.

Mr. Feez.—Oh, is it? That is what I want to find out.

His Honour.—Until I find out his own story, how can I tell what the other is. There is no foundation for it yet, and that would be the conversation.

Mr. Feez.—I want to ascertain the circumstances under which this conversation arose. I commence by asking whether he did not promise him so and so.

Did not you tell Absalom that if he made a statement you would get him out of the cells?—I told him nothing of the kind.

Did you not tell him not to accept the captain's bail, as you would have him out on Saturday?—I did not.

Did you not promise that if he made a statement you would take care that he would not be prosecuted?—I did not. I made no promise to him of any kind.

Did not he ask you whether Nash had not made a statement?—Yes, he did; but I refused to tell him whether he had or had not. I said I could not tell.

Did he not say, "This is the first time I have been to sea. I was going to get married shortly if this had not occurred. Will you promise to get me out on bail till Monday if I make a statement"?—I cannot say whether he said till Monday, but he said the rest of it. I answered, "Absalom, I cannot make you a promise of any kind, and you must understand that." He replied, "All right, I will say nothing."

You left him then and saw him again?—I saw him again consequent on receiving a second communication.

Did he not ask you again if he made a statement you would get him out on bail, and did you not say "Yes"?—I made no promise whatever of any kind, or offered him any inducement to make a statement.

By Mr. Power.—He saw Absalom in the cell, and Absalom asked if Nash had made a statement. This witness refused to tell him. Absalom then asked him to promise to get him out on bail if he made a statement, and he told him that he could make him no promise of any kind. Thereupon he refused to make a statement; but on another occasion he said, "I will suffer no longer for them. I do not see why I should suffer for obeying orders." He then said he wished to make a statement about the two boys who were got at Urassi. Witness took him to the Roma Street Police Station, where he (Absalom) made a statement which was taken down in writing, read over to him, and signed.

(The statement was here produced and read.)

Cross-examined by Mr. Feez.—Before this statement was taken Absalom made a verbal statement. He did not appear to be indifferent as to what he said, but on the contrary was very attentive. He did not say he would sign anything to get out of gaol. He did not speak of the hospital case or the punishment that the prisoners received. When in the cell he was in a very despondent state, and was crying. Nash lived at the detective office for some time after he made his statement. A constable named Nash was told off to look after him for a time.

His Honour.—How was Nash kept at the detective office, was he a prisoner?

Mr. Feez.—He was originally.

His Honour.—How did he get to the detective office?

Mr. Feez.—That is what I want to get at. (To witness.) How was it that Nash was taken there—why was he not taken to prison like the rest?

Witness said Nash was taken to the detective office when he signified his willingness to give evidence for the Crown. He thought Absalom was very anxious to get out, and he understood that he was to be treated in the same way as Nash after he had made the statement.

His Honour.—You understood that he would be treated in the same way as Nash after he made the statement—Yes, your Honour.

When did you first understand that?—I understood that from the time that he made the statement.

Was it before, or whilst, or after he made the statement? I want to know the time that you understood he would be treated the same as Nash—I understood that he would be treated the same as Nash when he made the statement. Nash made a statement on the previous night.

I want to know the time that you understood he would be treated the same as Nash.—The time when I went to the station.

After the statement was reduced to writing?—Yes.

What were your grounds for understanding that?—Because Inspector Lloyd told me to leave him at the Roma Street Police Station after the statement was made.

You did not suspect before he made the statement that he would be treated the same as Nash?—I might have thought so. I do not know whether I did or not.

Are you quite sure that this understanding was not mentioned between you?—Quite sure.

Any way, you had an inkling of it before you got to the station?—Yes; but I was careful to keep everything from him. I was careful not to make any promise or offer him any inducement to make a statement.

Narwell Johnson, a South Sea Islander, was then called. His Honour asked him if he could speak English, and he replied that he could not speak much. His Honour then questioned him as to whether he knew the nature of an oath and the difference between truth and falsehood. The replies which he made satisfied his Honour that no form of oath would be binding on his conscience, and that he was ignorant of the nature of an oath. Mr. Power then offered Mr. Caulfeild as an interpreter, but his Honour expressed his disinclination to use an interpreter unless it was absolutely necessary. He, however, asked Mr. Caulfeild to put questions to the witness in order to ascertain whether he understood that he was expected to give only truthful evidence, and would be punished if he told lies. Mr. Caulfeild put several questions in "pigeon" English to the witness, which were answered intelligently. His Honour decided that he would take the evidence of the man in the way prescribed by the Oaths Act Amendment Act. He also had Mr. Caulfeild sworn in as an interpreter to assist the Court when called upon, and had a chair placed for him on the bench beside the witness.

Johnson having made a declaration that he would tell the truth, gave his evidence in "pigeon" English. He said that he was a Native of Tannah, one of the South Sea Islands, and that he was on the barque "William Manson" during her last two trips. On the last trip he belonged to the boat's crew. He pointed out Vos as the captain during the last trip, and Olver as the Government Agent. He also signified that he knew the other defendants. Proceeding to answer the questions of Mr. Power, he mentioned the different islands at which the vessel touched in order to land return boys. Finally reaching Massi on a Saturday he said they landed some more boys. On Sunday they went along the shore to get water, and on Monday commenced recruiting. In the first boat sent out were Curry, Nash, Alex. Marie, and some men belonging to Quisoolia—he thought two. He saw Quisoolia before that on the ship. In the second boat were Dowsett, Absalom, the Government Agent, the boat's crew, consisting of himself, Try, Tom Api, Willie Malayta, and two of Quisoolia's men. The first boat went into the shore. The second boat then came close to the first one's bow. Quisoolia and two of his men got out and spoke to the boys on the shore. The boys on the shore were "marketing." He saw Quisoolia talking to the boys, and afterwards put two of them into the boat. Quisoolia himself caught one boy named Erringa [Erringa called in and identified.] He caught him by the arm and wrist, and dragged him along the beach [the witness showed how the action was done by seizing Mr. Caulfeild's arm]. When Quisoolia got him to the boat he put him in. When first caught Erringa tried to get away, but he was not big enough. Witness said he saw one of Quisoolia's men also catch Sooquow [Sooquow called in and identified], and put him in the boat. Sooquow cried. Quisoolia's man caught him round the waist. Witness saw another boy caught by another of Quisoolia's men, who put him "along a boat," and shoved him underneath the thwarts. He did not know the name of that boy, or how long he remained on board the ship. This boy might have remained two or three days, but he then went "along a shore." Witness saw one of Quisoolia's men bleeding from cuts, but he did not see the wounds inflicted. When the boys were put in the boat the other boys ran into the bushes. Quisoolia called them back again. The three boys were put on board "the watch boat," and the flag was put up by Mr. Olver. A small boat in which was Mr. Hall came off and took the three boys to the ship. When Quisoolia and his men caught the three boys witness said "What this for?" to Olver. Olver said "Shut up." While the men were being caught he saw the relatives take their guns and "want to try shoot." Quisoolia called to them "Don't shoot 'em boats." After the vessel came to Brisbane he saw Captain Vos and the defendants Hall, Dowsett, and Absalom at the Queen's Hotel. Vos said to him, "If anyone asks you, say you saw nothing wrong, "because if you tell everything you will not go on the ship's boat crew again." After that Vos took him to Mr. O'Shea.

Cross-examined by Mr. Feez.—He knew Mr. O'Shea, Mr. Winter, and a boy on the "William Manson," named Alec Oden, who was one of the boat's crew. He went to Mr. O'Shea's office, first with Vos, and afterwards with Alec Oden.

You told Mr. O'Shea that the boys were taken all right?—Yes, captain told me tell them that.

You think them boys caught all right?—I do not know.

Did you tell Mr. Brennan that the boys were caught all right?—I told Mr. Brennan the same as I speak here.

What did you tell Mr. Brennan?—I told him as I have spoken here.

Did not you tell Mr. Brennan that no boys were pulled into the boats?—No.

You know detective office, George Street?—Yes. Some one had talked with him there about boys on the "William Manson" [pointing out Detective Shanahan]. He did not go to the detective office before the captain was locked up. He did not tell Detective Shanahan he saw nothing wrong. He told them the same as he had said here. He told Mr. O'Shea that he saw nothing wrong because the captain told him to do so. He also told him that the boys came of their own accord for the same reason. He did not tell Mr. O'Shea that the boys wanted to come with Vos, or that sometimes boys wanted to come and their friends did not wish them. He knew Quisoolia, but did not speak his language. The reason that he understood what Quisoolia said was that Quisoolia spoke in English to the boys on the shore, and sang out to them, "Don't shoot the boats." Boys who left their islands often cried. The boy who was cut by a tomahawk went ashore afterwards. He had talked to Nash, but not about this case.

Re-examined by Mr. Power.—He talked to the man who lived at the detective office [pointing to Detective Shanahan], but not to Nash. Shanahan took down in writing what he said.

At this stage the Court adjourned until 10 o'clock on the following morning.

SUPREME COURT.

Wednesday, March 13.

IN CRIMINAL JURISDICTION.

(Before his Honour Mr. Justice Harding and a Jury of twelve.)

CHARGE OF KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. J. L. Lukin (instructed by the Crown Solicitor), appeared for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9. charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Mr. Power announced that a communication had been received through the Chief Secretary from the Governor in reply to his Honour's letters inquiring whether the island of Malayta is in the dominions of Her Majesty, or within the jurisdiction of any civilized power.

His Honour, after perusing the communication, asked if either side had seen it, and receiving a reply in the negative, handed it to them to read. He then stated it did not exactly comply with the form of his note to his Excellency, and asked if either side desired any further correspondence on the subject.

The Attorney-General and Mr. Feez intimated that they did not.

His Honour made a note that neither side desired any further correspondence.

The evidence was then proceeded with.

Try, a Native of Malayta, was called, and stated he was a Christian. His Honour questioned him as to his knowledge of God and the nature of an oath, and satisfied himself that he was ignorant of the nature of an oath, and that no form of oath would be binding on his conscience. His Honour thereupon decided that his evidence should be taken in the manner prescribed in the Oaths Act Amendment Act of 1884—under a caution that if he did not tell the truth he would be punished. The witness, having been cautioned in this manner, deposed that when the "William Manson" reached Malayta the Chief Quisoolia came on board, and was taken by Captain Vos into his room. Then he heard the captain tell Quisoolia that Kobey, Peter, and himself would like to be missionaries at his passage, and said that if those three fellows came back he would give him (Quisoolia) a boat and box. After that they both went into the

launch, taking the lead to sound the passage. They returned, and the ship having been taken into the passage the captain called Peter (Amboo-oba) to him. Witness did not hear what passed between them. On Sunday the woman Sowka came on board, and was recruited. Some time after that he heard the captain say to Quisoolia that he wanted him to fill up his ship with boys. Quisoolia replied, "I have looked out for boys, but there are none willing to come of their own accord." He then turned to witness and said, "Suppose him want boys you steal 'em for him." Witness said to the captain, "Do you want Quisoolia to steal boys for you?" and the captain said he wanted them all the same. The three of them then went into the captain's room, and the captain shut the door. The captain said he wanted the boys taken on the following day, and witness said Quisoolia would do it. Quisoolia then asked, "Government he no hear?" Captain Vos replied, "He no savee," and then took "three fellow cigars," and gave two to Quisoolia and one to witness, and took one himself. When they got up Captain Vos said to witness "Don't you tell anyone here." On Monday witness saw Quisoolia again. He came on the ship. The first boat was then lowered, and afterwards that of the Government Agent. Witness was below shaving, and the prisoner Curry called him up. He ran on deck, and Captain Vos said, "Try, you go in Government Agent's boat." Witness did so. After the boats had pulled in close to the beach, Quisoolia jumped out, followed by Quilassi and Cowah, two of his men. Quisoolia after talking to the bushmen caught hold of Erringa [Erringa called in and identified], and Erringa cried out and tried to shake himself free. Quilassi caught hold of Sooquow [Sooquow called in identified]. Sooquow cried, and struggled with his arms and legs, having been seized from behind round the arms and body. [Witness indicated how the boy was caught and the manner in which he struggled.] Quilassi put him into the first boat, into which Quisoolia also placed Erringa. Witness saw Cowah catch hold of Zeelotta, and Zeelotta being a stronger man cut him with a tomahawk on the upper arm and leg. Cowah then sang out to two of Quisoolia's men to help him. They came to his assistance, but the three of them could not get Zeelotta into the boat quick because he was a strong man. When the three of them put him into the boat the water was up to their middles. The two boats then pulled out. Quisoolia then said to Mr. Olver, "You are not cross with me, because Captain Vos wanted me to do it." Mr. Olver replied, "That's all right." Then all the bushmen wanted to fire on the boats. Quisoolia held up his hands, and told them he was not going to kill "the three fellow," but was only going to take them to the ship. Both boats then pulled into deep water. The captain's boat came off with Mr. Hall in it. Erringa and Zeelotta were put in it. Sooquow remained in the Government Agent's boat. When they got on the ship Erringa and Sooquow signed for three years. Mr. Olver was there at the time. He said to witness, "Three year, tell him, Erringa, three year." Witness did so, and then caught Erringa's hand. Erringa held the pen at the time, but did not make a mark. Erringa did not want witness to catch hold of his arm. Mr. Olver wrote "three year," and then made the cross for Erringa. He then said to witness, "You tell Sooquow he have to work three years." Witness did so, and Mr. Olver then held out the pen to him, and told witness to tell him to catch hold of the pen. Witness caught hold of Sooquow's arm, and Sooquow caught hold of the pen, while Mr. Olver make a mark "alonga book." The three of them afterwards went on deck, where witness saw Vos. Vos said, "You talk alonga Zeelotta there, and get him sign." Witness spoke to Zeelotta, but Zeelotta did not sign. Zeelotta stopped two days on the ship, and then went ashore in a canoe with Quisoolia. Quisoolia was the "chief alonga Urassi—a big fellow in that passage." Plenty of canoes came to the ship at Urassi. They were always salt-water men in these canoes. Bushmen did not "savee" to work canoes. Sometimes salt-water men and bushmen fought together, sometimes not. Cowah was a big fellow.

Cross-examined by Mr. Feez: Sooquow and Erringa signed on below deck. Zeelotta was not taken down below to sign. After Zeelotta told him he did not want to sign witness let him alone. When he asked Sooquow and Erringa to sign they did not say anything. They did not say all right; they said nothing. He did not say they said "all right" when giving evidence at the police court.

Mr. Feez tendered the depositions of the witness.

His Honour, after looking at the depositions, said evidence had to be taken in the English language. If there was a sworn interpreter he had to say what was meant by the witness, and it had to be so taken down. What on earth the language used in the depositions meant he did not know. He was not able to talk the language that Mr. Feez had learned. He did not profess to understand it. He had an interpreter to tell him what it meant, and as far as he could he took it down in English. This was not

English ; it was something else, and any ingenious person might make half-a-dozen things out of it.

Mr. Feez : I am not responsible for it, your Honour.

His Honour : Oh no.

Witness was then asked if Sooquow and Erringa did not use a native word pronounced "dienna," signifying that they wanted to sign, or all right, and he said they did not. He interpreted for Basseah-Carlo when he signed on, and for all the "new chums" who came on board at Urassi, and told them what the Government Agent had told him to say to Erringa and Sooquow. He interpreted for Tahvero, and told him to catch the pen, which he did. He did not catch Tahvero's arm as he did of Erringa's and Sooquow's. It was not the custom to guide "boys," hands when they signed on.

Why did not Erringa and Sooquow go ashore at Urassi ?—Because they had signed for three years.

What time did Quisoolia come on the ship first at Urassi Passage ?—On Saturday morning ; I do not know the time.

Where were you when Quisoolia and the captain were in the captain's cabin ?—I had my face planted near the window and listened to what they said.

What made you go and listen to what the captain was saying ?—Because I heard him talking about the three of us—Peter, Kobey, and myself.

Did not Quisoolia say that he did not want a black missionary, because if a white missionary came he (the missionary) would give him a boat and box, and by-and-by buy some land from him ?—I did not hear him say that.

When Sooquow was caught had he a tomahawk ?—Yes, he had one in his hand. Zeelotta also had a tomahawk, but one of Quisoolia's men took it from him, and put it into the boat.

What language did Quisoolia speak to the boys on the shore when he told them not to shoot on the boats ?—The same language as myself, the Malayta, not English.

Who took Zeelotta from the ship ?—Quisoolia, in one of his canoes.

Rovannie, a South Sea Islander, having been cautioned in the same manner as the previous witnesses, said that he belonged to the island of Malayta. He went on the "William Manson" in order to go home ; but before he got to Malayta he signed an agreement to come back. He then described in similar language to the previous witness the manner in which the Islanders, Souquow, Erringa, and Zeelotta, were taken from Malayta.

At the close of his examination, the court rose until 10 o'clock on the following day.

SUPREME COURT.

Thursday, March 14.

IN CRIMINAL JURISDICTION.

(*Before his Honour Mr. Justice Harding and a Jury of twelve.*)

CHARGE OF KIDNAPPING.

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Erringa, a South Sea Islander, was the first witness called. As he could not speak English, another Islander named Whavella, who could speak broken English, was called in to act as an interpreter in the first instance. As he said he was not a Christian, and his Honour was satisfied that no form of oath would be binding on his conscience, he was cautioned, as other witnesses had been, that if he did not tell the truth he would be punished. Mr. Caulfeild was then sworn in to interpret in the second instance from Whavella to the Court. Through the medium of interpreters the witness was cautioned

to tell the truth. He said he belonged to Anacona a place in the bush at Malayta. His Chief's name was Soobah. The Chief of Urassi was Quisoolia. He knew Sooquow [Sooquow called in and identified]. Sooquow's Chief was also Soobah. Zeelotta's Chief was Lowah. Soobah and Lowah were bush chiefs. Witness first saw the "William Manson" from the bush, and after the ship had anchored he came along to the salt water. A good lot of bush boys went with him down to the beach, and among them were Zeelotta and Sooquow. They went down to market. Witness saw two boats come from the "William Manson" to the shore. In the first boat he saw among the white men Quisoolia, Cowah, and Quilassie. The three of them got out and Quisoolia talked to Soobah, witness's Chief. When Quisoolia had finished talking he caught hold of witness round the body and lifted him over his shoulder. (Witness showed on Mr. Caulfeild the manner in which he was seized.) His two legs were in front of Quisoolia and his head behind him. Quisoolia put him in the boat, and he cried. He did not want to go in the boat. He could not get out because Quisoolia was watching the boat, and when it was pulled out into deep water he could not get out because he was a bushman, and could not swim. He saw Sooquow and Zeelotta taken by Quilassie and Cowah. Zeelotta wounded Cowah with a tomahawk. When the three of them were taken off in the boats their countrymen wanted to fight, and presented their guns at the boats. When witness got on the ship he was taken down below, and he signed on. He did not want to go below. The Government Agent (Mr. Olver) was there. While witness signed or touched the pen some one held his hand. This man he afterwards found was Try. The Government Agent held the pen and Try caught witness's wrist and touched the pen with his (witness's) hand. Witness did not speak when Try touched the pen with his hand. All he did was to cry. Before the ship left Urassi Passage there were a good many canoes belonging to the salt-water men round about it. Quisoolia took Zeelotta back to the shore.

Cross-examined by Mr. Feez.—He did not swim round the ship when it was in Urassi Passage. When he signed on he did not make any mark; he only touched the pen. The prisoner Olver made the mark. Try told him that he would have to stay in Queensland three years and would get 6*l.* a year, but he did not understand anything about money. Try did not hurt him when he held his hand.

Did Try tell you that he held your hand?—He did not tell me. I know it.

After you had signed did you get a blanket and pannikius?—Yes.

When Zeelotta and Sooquow and you were taken to the boats were you taken all at one time?—The three of us were taken all at one time.

How could you see what Zeelotta was doing?—At that time I was in the boat and I saw him.

On which side did Zeelotta cut Cowah?—The witness showed on Mr. Caulfeild how Zeelotta when seized from behind twisted himself round and struck Cowah on the left arm and left leg with his tomahawk. Two of Quisoolia's men then came, and pulled it away.

Are you Soobah's son?—Yes.

Is Soobah a "big fellow Chief"?—Yes.

Was Soobah there when the three of you were taken?—Yes.

How long did Quisoolia stop talking with Soobah?—Only a little time.

When you saw the "William Manson" first did not you know it was a recruiting ship?—I thought it was a recruiting ship for taking and landing boys.

Have not you two brothers in Queensland who came in recruiting ships?—Some of my brothers stop in Queensland, but I have not seen them.

Has Soobah more men than Quisoolia?—Soobah has more men than Quisoolia.

Had many of the bushmen Sniders?—Yes, plenty bushmen had Sniders.

Had the salt-water men Sniders?—Yes.

Were there more salt-water boys there than bushmen?—Both sides were the same.

When you were on the ship did you walk up by yourself, or were you helped or held?—I held the rope, and walked up by myself.

Did you tell any man, black or white, on the ship that you did not want to come to Queensland?—I did not tell anyone.

Re-examined by Mr. Power.—A good many of Soobah's men were left in the bush.

When you and Sooquow and Zeelotta were put in the boat what did Soobah do?—Soobah wanted to fight.

Sooquow, a Native of Malayta, having been cautioned, his evidence was taken in the same manner as the previous witness. He said he lived at Anacona, and his Chief was Soobah. He was caught by Quilassie, one of Quisoolia's men. He described the

manner in which he was taken, and showed how it was done by seizing Whavella around the body and lifting him up. Having been put in the boat he said he could not get out because Quisoolia was on the watch. When he was taken below deck on the ship to "sign on" he said Olver and one dark man was present. Nothing was said when he signed on. He could not swim, and he not belonging to the salt water he could not paddle a canoe. While the ship remained at Urassi Passage he saw a good many canoes about. These canoes belonged to the salt-water boys. When witness signed on he cried. He held the pen and the Government Agent wrote.

Cross-examined by Mr. Feez. The men who came on board after witness came all right. Some of them were bushmen, but none of them belonged to Soobah's tribe. When witness was put into Mr. Olver's boat "trade" was given to his countrymen. When Erringa "signed on" he saw a dark man touch Erringa's hand. He did not tell anybody on the ship that he did not want to go to Queensland. He was allowed to go about the ship as he liked.

Amboo-oba, called, said he spoke a little English, and had been six years in Queensland. He was a Christian. His Honour having questioned him, directed him to be sworn in the usual way. His examination was then proceeded with. He said that he had been baptised under the name of Peter. He was a Native of Malayta. He knew a Chief named Quisoolia. He first saw Quisoolia outside at sea. Quisoolia came to the ship in a canoe, and when he got on board went to Captain Vos. Captain Vos talked to him. After that Captain Vos showed witness to Quisoolia, and said, "This fellow boy come to be missionary in your village." Quisoolia replied, "No, me no like you; boy like me, come be higher than me." He then said he wanted a white missionary to come to his place, saying, "Me no like you to interfere with me. If white missionary come he by-and-by buy ground. You live with missionary, not by yourself." Witness went ashore and left one of his boxes on shore and one on the ship. This was on the Saturday. On Monday boats went to Urassi, but witness stopped on the ship. Three recruits came back to the ship—Erringa, Sooquow, and Zeelotta. Cowah came on board with cuts on his arm and leg, and witness saw the recruiter Curry tie up the wounds with white rag. Zeelotta stayed on the ship about two days. Witness signed with Captain Vos to come back to Queensland, and returned in the ship. After Erringa, Sooquow, and Zeelotta had been taken on board they went on to Malayta recruiting, and then returned to Urassi. While they were so employed they saw the recruiting ship "Roderick Dhu" and the "Sybil." Witness sent a letter by the latter to Queensland. He also sent one by the "Roderick Dhu." Both vessels reached Queensland before the "William Manson."

Cross-examined by Mr. Feez.—After Quisoolia said he did not want him as a missionary he did not ask prisoner Vos to allow him to sign on to return to Queensland, but asked him to let him go ashore. Try and Kobey were not with him when Quisoolia said this.

You wanted to go ashore and the captain would not let you?—Yes.

You just told us that you took one box ashore?—I took one box, and when I returned the captain would not let me go ashore.

What day did you sign an agreement to come back to Queensland?—The same afternoon as Quisoolia spoke to me.

Where did you sign?—Below.

And Try and Kobey were there all the time, and you three signed at the same time?—Yes.

Did not Captain Vos tell you not to be in a hurry, but to think the matter over before you signed?—No.

When you signed you asked to go alonga Mr. Hines, did you not?—I did not.

Did Try and Kobey talk with the captain and say they wanted to go with Mr. Hines?—They may have spoken to the captain, but I did not hear them: I wanted to go ashore, but the captain would not let me. He made me sign an agreement to come back again.

Did you not tell Captain Vos you would sign an agreement and return by-and-by with a white missionary and live at Urassi?—No.

You went ashore and took one box?—Yes. I took one box ashore and wanted to take the other the next day.

You took the box ashore to make your friends presents did you not?—All the things in the box were the school things, and I wanted my friends to keep them for me.

Do you know if Try wanted to go ashore and the captain stopped him?—Try did not speak when he made his agreement.

When you signed the agreement did you speak?—Yes; I spoke. I said I wanted to go ashore, and Captain Vos said, “You go back alonga Queensland.”

And Try was beside you and did not speak?—No, he did not speak.

When you went ashore with the first box was there not plenty of room in the boat for your other box?—No, there was not plenty room in the boat for my other box.

At this stage the Court adjourned until ten o'clock the following morning.

THE “WILLIAM MANSON” CASES.

Question of Jurisdiction.

“No Evidence to go to the Jury.”

Argument of Counsel.

His Honour's Decision.

Yesterday, at the close of the case for the Crown, against the prisoners charged with kidnapping in connexion with the last voyage of the labour vessel “William Manson,” Mr. Feez submitted that there was no evidence to go to the jury, and he asked his Honour to direct the jury to return a verdict of “not guilty” against all the prisoners on the ground “that there is no evidence that the island of Malayta or the passage of “Urassi is not within her Majesty's dominions, nor within the jurisdiction of any civilised power.” He also asked for the same direction on the ground that there was no evidence that the Islanders Erringa, Sooquow, and Zeelotta, or any of them, were carried away without their consent. With regard to the prisoner Hall, he submitted that there was no evidence that he was in any way connected with the transactions from the beginning to the last. Regarding the prisoners Absalom and Dowsett, he submitted that there was no evidence that they took part in the carrying away of these boys, or that they aided, abetted, or procured the commission of the offence. Then as regards the prisoner Vos, there was no evidence that he was ever aware that any offence had been committed, or that he was a principal in either the first or second degree or an accessory.

His Honour.—As to Hall—Hall answered the flag; saw a man come on board with blood on him. That is something

Mr. Feez said there was not the slightest evidence that Hall saw Cowah with blood on him. There was not the slightest suggestion that there was anything to bring to his knowledge the commission of the alleged offence.

His Honour.—Mr. Feez, if some of the Islanders are to be believed, the three captive men were there, and could not leave the boats because Quisoolia and two of his men were sitting alongside them.

Mr. Feez.—But that was not so. The evidence is that when he saw them they were sitting quietly by themselves.

His Honour.—The jury might think that he should have seen three men in the boat exercising control over other men in that boat.

Mr. Feez said there was not a tittle of evidence that when Hall came there that any control was being exercised over the boys. There was not a tittle of evidence that he knew anything about it, and it was for the Crown to show that they did. His contention was that Hall was in no way aware of the circumstance of the commission of the alleged offence, and that there was nothing in the circumstance to arouse his suspicion that any offence had been committed. With regard to the prisoners Dowsett and Absalom, the only evidence against them was that they saw Quisoolia carrying boys to the boats, and they did not interfere. On the question of jurisdiction he did not know whether his Honour considered his Excellency's letter as evidence in this case.

His Honour.—I want to know how you take your objection. When I know your contention you shall have my mind to tear as much as you like.

Mr. Feez.—My proposition is that there is no evidence.

His Honour.—First of all you must assert that there is a necessity for evidence.

Mr. Feez.—That is the only foundation for my argument, because the Act says so. It must be shown that this island is not within her Majesty's dominions by evidence to the jury and to your Honour. The only matter before the Court, by which it is attempted to prove that the island of Malayta is not in her Majesty's dominions or within the jurisdiction of any civilised power is a communication received from his Excellency the Governor.

His Honour.—You seem to assert that that is before the Court.

Mr. Feez.—That is why I asked how your Honour intended to treat it. Your Honour has received a private communication from the Governor, and it is a private communication now, I don't see that I am at liberty to refer to it.

His Honour.—If a question arose in Court about a frog, and I did not know anything about a frog, I should go to my natural history, and the next time I came here I should know what a frog was, but I should not tell you how I found it out. And I don't intend to tell you about this. The question is: Is it, or is it not, my duty to know where her Majesty's dominions are? In fact the whole thing is this: Have I to take judicial notice of her Majesty's dominions?

Mr. Feez.—I submit it is not a question of her Majesty's dominions, but the limits of the jurisdiction of foreign powers. This island of Malayta is alongside where the German Government own a lot of land, and there is nothing to show that before the date on which this offence was committed the German Government had not annexed the island of Malayta.

His Honour.—Then I am asked to believe that when the British lion's toes are stepped on now he does not roar. It has not been his mode to allow much interference with him in the past.

Mr. Feez.—Your honour forgets that the allegation the Crown starts with is that this island is not within her Majesty's dominions and is not British territory.

His Honour.—I do not know that it is not for me to satisfy myself on that point.

Mr. Feez.—Assuming that your Honour can satisfy yourself on that point, if you do [find?] that there is a British protectorate over it I presume that it is within the jurisdiction of the British power.

His Honour.—No; the Act says not. The Act says it shall not be.

Mr. Feez.—But we have not got that proclamation. All you know is that there is a British protectorate over the island. Something further will be required to satisfy your Honour that it is not within the jurisdiction of Great Britain, which, I understand, is a civilised nation.

His Honour.—Now give me some law about it. This is where the shoe pinches you. If you can show that I have not to take judicial notice of the facts, or either of them, then you have pretty well succeeded in your case. Until you do that you had better assume that I don't know much about it, and educate me to your views.

Mr. Feez.—Your Honour cannot, I submit, take judicial notice of these things.

His Honour.—That is merely talk.

Mr. Feez.—I assume that it is so rudimentary that it is not necessary to produce authority.

His Honour.—Mr. Feez, for once assume that I know nothing. Do not do it often, but for once do it. Assume that I have not even elementary knowledge about it.

Mr. Feez said he could not assume that a matter of foreign jurisdiction, foreign locality, was a thing of which the Court could possibly take judicial notice. He quoted Taylor on Evidence E, section 17, in support of that contention. How could the Court, he asked, take judicial notice of the fact or otherwise that the island of Malayta was not in the jurisdiction of her Majesty or within the jurisdiction of any civilised nation?

His Honour.—You will find that the Court will consult maps.

Mr. Feez submitted that maps would not help in determining whether the Court should take judicial notice of these things. Judicial notice could only be taken of something so well-known that it was not necessary to call evidence to prove it.

His Honour.—Then it is a very strange fact that the Imperial Act coupled with the proclamation is presumed to be known by all Englishmen because it is the law of the land. It would therefore be presumed to be known to any Englishman placed in the dock for his trial. Am I, as a Judge, presumed not to know as much law as the prisoner? It is a presumption of law that every Englishman knows the law.

Mr. Feez submitted that the question whether the island was or was not within the jurisdiction of some civilised power could not be decided without some evidence being called upon it. In the Hopeful cases it was considered so necessary to prove the locality that a Deputy Commissioner of the Western Pacific was called, who stated on his oath that it was not in Her Majesty's dominions or within the jurisdiction of any civilised power.

His Honour.—If you can show me that by law it is not for me to take judicial notice of this but it is for the jury to decide it as a fact, then I will hold with you. Is it for me, as a point of law, or is it for the jury, to decide whether the island of Malayta is not in the dominions of the Queen?

Mr. Feez said he had searched through the books on Evidence, and he had not found that the Court had ever taken judicial knowledge of anything that was not stated in Taylor on Evidence. He could only urge that this was a matter which had never been taken judicial notice of, and that, he submitted, was the highest authority he could give for saying that his Honour could not do it.

His Honour.—I have referred to the representative of Her Majesty—Her Majesty's mouthpiece and of her Government—and he says it is not in her dominions.

Mr. Feez.—The Governor has practically said that it is not within Her Majesty's dominions, but it is within her jurisdiction.

His Honour.—No, under her protectorate. You must remember that there are several kinds of protectorates. This Order in Council issued under an Act which says that it shall not be annexed to her dominions.

Mr. Feez submitted that the Governor himself was not capable of saying that this island was not within the jurisdiction of some civilised power other than Great Britain. He maintained that there was evidence to show that it was not, and the Governor's letter was not such a class of evidence as would satisfy his Honour upon it.

The Attorney-General said that his friend's argument was twofold. One was that the Court could not take notice in the way that it had chosen to inform itself in this case as to the extent of Her Majesty's dominions, and secondly, if that was so, the Court could not take notice of the extent of the dominions of a foreign power. With regard to Her Majesty's dominions, he (the Attorney-General) submitted that the case already cited—*Mighell v. the Sultan of Johore*—showed that the Court could inform itself, if it was in any doubt on the point, as to the extent of Her Majesty's dominions. On the other point it was perfectly clear that the Court would take notice of the extent of the jurisdiction of foreign powers. Then the case of Taylor and Barkley showed that the Court must inform itself of the status not only of the sovereignty of its own country, but of the status of other sovereignties. In that case the Court communicated with the Foreign Office, and the Judge stated that he was authorised to say that the Republic of Central America, whose sovereign was in question, had not been recognised by the British Government. There were two cases with regard to dominions and the status of foreign dominions—*Jones v. Garcia del Rio*, in *Turner and Russell*, p. 297; and *De Wutz v. Hendricks*, in 2 Bingham, p. 314. In these cases it was decided that it is incumbent on the Courts, as representing the monarchy in dispensing justice, to take notice of the status of foreign countries. He (the Attorney-General) submitted that all the authorities showed that the Court on the point being raised must, if it was in doubt, inform itself as best it might, not only as to the extent of Her Majesty's dominions, but the extent of foreign dominions as well. With regard to this particular island, the Court had chosen to inform itself in its own way. It was not and could not be a matter for the jury; it was a matter for his Honour only. He submitted that his Honour having informed himself, no objection could be taken on the part of the prisoners.

His Honour.—Suppose I assumed to know all about it from the beginning and asked for nothing at all, and said, "I know this," could you have said "You do not"?

The Attorney-General said he certainly would not. In the case of *Taylor v. Barkley* the plaintiff alleged that this Republic of Central America was a State recognised by her Majesty, the defendant raised the point that it was a State not recognised by Great Britain, and the Court informed itself of the fact. Of course, under the circumstances, at the outset of the case he (Mr. Byrnes) had stated to the Court that the question was likely to arise; but, of course, he could make no application.

His Honour.—Do you think if the question was referred to a colonial jury, and they decided that her Majesty had or had not dominion in a certain place, that it would at all influence her Majesty?

The Attorney-General.—Of course it would not.

His Honour.—That is it. It is law or it is not.

The Attorney-General said the Judge sat in his court as the representative of sovereignty, and the knowledge was supposed to be in him, just as it was in Her Majesty and in foreign powers. If he thought he had not his knowledge up to date, he could adopt whatever means he thought best to bring his knowledge up to the requirements of the particular case before him. The Pacific Order in Council said that Her Majesty exercised some control over the affairs of the people in the portion of the Solomon Islands not within the German Empire; but that was always to be read in conjunction with section 7 of the Imperial Act, which expressly enacted that no matter what might be done no Order in Council was to endow Her Majesty with sovereignty over these particular islands. The fact of the protectorate being proved ousted the jurisdiction of any foreign power. The second point was that there was no evidence that the Islanders were carried

away without their consent. Well, he hardly liked to go into the evidence at this stage; but his friend having taken the point at this stage must be taken to have adopted the position that, assuming all the evidence was true, there was no evidence that these men were taken away without their consent. Now, the evidence was overwhelming that these men were seized with violence; carried away in fear of their lives; carried away in the face of the severest resistance—on the part of one so severe that he struck and wounded a man who was carrying him away; carried away to the boats—a fight imminent, and brought on board the ship, and kept there until a collusive form of agreement was signed in the case of two of them, and these two brought on board closely resisting all the time. In the case of the other there was no pretence of an agreement, and after being kept on board two days he was allowed to go ashore. He submitted that if the detention had been for five minutes, or an hour, that would be sufficient to create the offence. A man had a perfect right to his liberty. For them to carry him to the boats, or from the boats to the ship, against his will, was sufficient to ground an offence. And on this point, supposing they were carried on board ship by violence and against their consent, and then afterwards they consented, that would not wipe out the first offence that had been committed. In the summing up of his Honour the late Chief Justice, Sir Charles Liller, in the case of M'Lean and Rowen, tried in the Supreme Court on the 4th June 1884, he said that nothing done afterwards on board ship would wipe out the offence—nothing but the pardon of the Queen would free the prisoners from that offence.

His Honour.—That is to say you cannot compound a felony.

The Attorney-General.—And even if they willingly signed on board ship that would not condone the offence, and the evidence here was that two did not willingly sign, and the other man never signed at all. Moreover the statute threw the onus of proof on those alleging the consent. Mere willingness would not do; there must be absolute consent. These three men had been overpowered by Natives, they were brought into boats, where there were a number of armed men, and were brought on board ship where there were a number more armed men. It was not necessary that they should keep up resisting and making a row, the consequence of which might be awkward for themselves. There was no need for him to recapitulate the evidence further with regard to the whole three.

His Honour.—No, Mr. Attorney; I am quite with you with regard to that.

The Attorney-General said with regard to Hall he was an officer on board ship. He was first mate. The evidence showed that deeds of violence had been committed on the shore. These three men were carried into the boats. One of their captors was in a bleeding state from the wounds that one of the men had inflicted upon him in righteous defence. A signal was hoisted, and the prisoner, Hall, came in a boat and took these men from the boats, and carried them away to the ship. If he had not done anything more than that he would be liable for this offence. But in addition to that they had it in evidence that he remained second in command of the ship which still further continued the carrying away of these Islanders from their island to Queensland. The section of the Act also operated with regard to him. He was one of the persons accused, and on him was thrown the onus of showing that these men came with their own consent; and if they did not come with their own consent he was a party to the offence. With regard to Absalom and Dowsett they were both present in the boats when the men were illegally taken. They were eye-witnesses of it and it must be taken until they cleared themselves by evidence that they shared in the transaction. These men were the absolute instruments in the taking away, and they could not relieve themselves by pleading that they acted under orders. As to the prisoner Vos, the evidence was that he was the instigator of the whole proceedings, that his arrangement with Quisoolia to “steal him boys” lay at the base of the whole transaction. All the circumstances pointed to his being a principal in the matter. He (the Attorney-General) submitted that there was ample evidence on which the jury could find each and all of the prisoners guilty of the charge laid against them.

His Honour, in delivering judgment on the application of Mr. Feez, said the question had arisen whether the island of Malayta was not in her Majesty's dominions, and not within the jurisdiction of any civilised power. Whether that was for him as a Judge declaring the law, or whether it was a question of fact to be ascertained by the jury, had been raised by Mr. Feez. He had contended that it was not a matter of judicial knowledge, or amongst the things which were judicially taken notice of. The American writer Greenleaf on Evidence, whose book was taken as the basis of the English book by Taylor, one of the leading books on Evidence, had thus stated the matter. The principle on which judicial notice was taken was the universal notoriety of the facts in question. These were sometimes distributed into two classes, composed of those things of which the Court of its own motion took notice, and those of which it did not take notice unless its attention was

directed to them by the parties. If the Court was embarrassed it might take or refuse to take judicial notice of a fact which formed one of the subjects of judicial cognisance, and unless the party calling upon the Court to take such judicial notice produced the books and documents which satisfied him as to its existence. But the Judge might inform himself of such facts in any way which he might deem best in his discretion, so that in this case he might have stopped the case until the Attorney-General had proved to his satisfaction the fact of which he was required to take judicial notice, namely, that these islands are not in her Majesty's possession or within the jurisdiction of any civilised power. He might have stopped the case until evidence had been produced of that, or he might have known it, and if he did not know it he might have informed himself in any way which he deemed best in his discretion. He was not obliged to take judicial notice of any of those matters of fact, but he was at liberty to do so at his discretion. The text writer said that the exercise of that discretion depended upon the nature of the subject usually involved, and the apparent justice of the case. He had taken two courses in this case, each for the purpose of satisfying himself, and they had both brought him to the same conclusion. He had a letter under the hand of his Excellency the Governor, Sir Henry Wylie Norman, signing himself, not only as Sir Henry Wylie Norman, but as Governor of Queensland, dated from Government House as late as the 12th March in this present year. His Excellency had informed him this, that he had the honour of acknowledging his letter of the 11th instant, in which, with reference to this trial, he (Mr. Justice Harding) inquired as to whether the island of Malayta, which is in the Pacific Ocean, is within her Majesty's dominions or within the jurisdiction of any civilised power, and whether he was in a position to answer both or either of those questions. His Excellency said, in reply, that he was able from his official knowledge to inform him that the island of Malayta is not part of the Queen's dominions, and not within the jurisdiction of any civilised power, but that it is under the protectorate of her Majesty the Queen. That, he (his Honour), thought, alone would be sufficient to him to base this case on, but he further supported his knowledge by reference to the Pacific Islanders Protection Act of 1875, being 38 & 39 Vict. c. 51. s. 6. which said, "It shall be lawful for Her Majesty to exercise power and jurisdiction over her subjects within any islands and places in the Pacific Ocean, not being within her Majesty's dominions nor within the jurisdiction of any civilised power in the same, in as ample a manner as if such power or jurisdiction had been acquired by the cession or conquest of territory, and by Order in Council to create and constitute the office of High Commissioner in, over, and for such islands and places." In the case of the *King v. Daniel Holt* in 5 Term Reports, p. 436, at p. 440, it was stated that "the 'Gazette' is of itself *prima facie* evidence of matters of State and of the Public Acts of the Government. It is published by the authority of the Crown; it is the usual way of notifying such Acts to the public; and therefore is entitled to credit in respect of such matters. Lord Holt held it a high misdemeanor to publish anything as from royal authority which was not so. In a late case at Lancaster, upon an occasion similar to the present Justice Buller, held that the 'Gazette' was evidence of the King's proclamation contained therein. So it has been held by all the Judges that the articles of war printed by the King's printer are good evidence of such articles." Now it being a high misdemeanor to publish as from the royal authority that which had not the royal authority for its publication, and anything of royal authority published by persons that had that authority and professed to publish by royal authority was receivable as evidence, he consequently turned to a publication of the English Government which on the bottom of it had "published by authority." This was a compilation of statutory rules and orders issued in the year 1893, and at page 312 he found the Pacific Order in Council of 1893. Now that Order specifically recited the section which he had read, and that it was made in pursuance of that Act and other Acts. Consequently anything contained in that Order and anything recited in the Acts of Parliament were to be taken by the Courts to be facts. The Act which he had referred to, 38 & 39 Vict. c. 51. had to be read and incorporated with 35 & 36 Vict. c. 19. which recited in the preamble that, "Whereas criminal outrages by British subjects upon Natives of islands in the Pacific Ocean, not being in Her Majesty's dominions nor within the jurisdiction of any civilised power, have of late much prevailed and increased, and it is expedient to make further provision for the prevention and punishment of such outrages." Therefore the Act of Parliament and the Order in Council were both made with the object of providing for places "not being in Her Majesty's dominions, nor within the jurisdiction of any civilised power." From that he took it that anything he found stated as a fact in this Order in Council was the law of the land, and was a fact recognised by our law. Now the Order in Council stated that its limits should be the Pacific Ocean and the islands and places therein,

including certain mentioned, but exclusive, except as this order expressly provided by subsection 2, of any place for the time being within the jurisdiction or protectorate of any civilised power. Consequently this Order could not apply to any place that was for the time being within the jurisdiction or protectorate of any civilised power. He had worked out the limits within which the jurisdiction of Great Britain was established by the Order in Council, and he found that this island of Malayta was within the specified limits. Consequently the order applied to the island, and by a subsequent section of the Act the jurisdiction to be assumed by any Order was not to cover dominion by Her Majesty, so that the Order on its face showed that this island was within its limits, and being within its limits the island itself to which it applied must be not a dominion of Her Majesty, and as the Order did not apply to a place for the time being within the jurisdiction or protectorate of any civilised power, it must necessarily be outside the jurisdiction or power of any other state. He thought, therefore, that on the law Mr. Feez's objection was overruled. The Court must necessarily have notice of all things which its subjects must have notice of, and which they would be taken to have notice of at their own trial. Now each of these men in the dock had notice of the law and were presumed to have actual knowledge of the law, and under this Act of Parliament and these Regulations that was the law with respect to them. As if for one moment it could be conceived that the prisoners were to know the law and the Judge was not? That conclusion would be absurd, and he thought that the Judge must be held to know this judicially. He thought that the Court had such information before itself that it could find the island and the spot where this took place. So that he overruled Mr. Feez's main objection. As to the other point, that there was no evidence that the three Islanders were carried away without their consent, the onus by the section under which they were being tried was thrown upon them. He thought that if the Crown simply made a *prima facie* case of suspicion the onus was thrown on the prisoners of clearing themselves and showing consent. He also agreed that if the offence was committed by taking the Islanders off the island, that that offence could be compounded afterwards, and that it would be necessary for the prisoners to show that the taking of these men from their islands was with their consent. Whilst in the neighbourhood of the islands they were bound to be landed if after consenting they withdrew their consent. So that it was upon the prisoners right through. It was said with regard to Hall that there was no evidence of his connexion with the transaction from the beginning to the last. He (his Honour) thought there was evidence; the weight of it was, of course, for the jury. The prisoner Hall, having been mate on the ship, was a man in authority under the captain, and in authority of others when the captain was absent. He thought that the fact that on a signal being made from the boats Hall went to these boats, and after he got to them, from his position as mate, it was his duty to satisfy himself of the state of affairs. He thought that when Hall had persons under his command—sailors and others—whose lives were in his hands, he was in a place where he might be attacked by Natives and firearms, he ought at once to have satisfied himself of the position of affairs. Had he looked round it was scarcely possible to conceive but that he would have seen a man had been chopped in two parts of his body with an axe and was bleeding at the arm. Had he seen that, and it was for the jury to say whether he did or did not, it was clearly his duty to have made inquiry into the case. If he did not, it was a *prima facie* case against him, and if he could not discharge himself by showing that these men were there by their own consent—if the jury found these facts—why necessarily, a verdict of guilty followed. With regard to the prisoners Absalom and Dowsett, it was said that there was no evidence that they took part in the carrying away of these boys, or aided and abetted or counselled or procured the commission of the offence. No doubt there was evidence, but the weight of it was for the jury. They were sailors in the ship, boatmen in the boat, and under the command of others. So far they would probably only come in as accessories, unless it were proved that they knew the actual scheme to steal the men and they were actually taking part in it. But if they came as aiders and abettors and accessories, then they must have known of the crime they were taking part in; and if they did not know, or how far they did know, would be matter of justification for them to the jury. With respect to the obeying of superior orders, if the jury thought that they believed the persons commanding them were justified in ordering them to take away from these islands these men struggling and crying, and wounding their captors, well then they would go free. If the jury could not think that they had any business to obey these superior orders, but ought to have at once thrown down their oars, and said, "We won't have any more to do with this," they would have to show consent on the part of the Natives. Then as to the prisoner Vos, there was direct evidence against him that Quisoolia offered to steal him men and he sanctioned it. If that was believed, well, there was ample evidence, but it was for the jury to decide as to its weight. He (his

Honour) had satisfied himself for the reasons he had given that there was some evidence. Before he had dealt with each case he had advised the jury that the weight and the true value of it was for them, and he did not wish the fact that he had picked out pieces here and there to have any influence with them. The question of the facts would be for them in a future stage of the case. He was satisfied that there was evidence on these points to go to the jury. He had judicial knowledge of and had declared the status of the island. He overruled Mr. Feez's objections.

Mr. Feez then opened his case to the jury: " " "

The Court at the usual hour adjourned until 10 o'clock on Monday morning.

SUPREME COURT.

Friday, March 15.

IN CRIMINAL JURISDICTION.

(*Before his Honour Mr. Justice Harding and a Jury of twelve.*)

CHARGE OF KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. G. L. Lukin (instructed by the Crown Solicitor), appeared for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cathbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9., charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Amboo oba, under further cross-examination by Mr. Feez, said that among the things which he took to the islands were kerosene, blankets, &c. During the voyage he did not tell anybody about the way in which the three boys, Erringa, Sooquow, and Zeelotta, came on the ship. When he signed the agreement he knew that it was to come to Queensland for three years. He did not cause any row or trouble on the ship.

Did you want to go and work on a sugar plantation?—No.

You wanted to work "alonga" Jesus?—Yes.

You did not like hard work on the plantations?—I don't mind hard work, but Jesus told me to work for him.

Did not Captain Vos make a row with you because he caught you down in the women's quarters?—He did not catch me down there, but I had a row with him about a woman.

Did not Captain Vos tell you that if he caught you down in the women's quarters he would put you in irons?—No, but when we had a row he told me I was telling lies.

Did not the captain tell you you were not to go down to the women's quarters?—Yes, he told me I was not to go down below.

And prisoner Vos was very cross with you?—Yes.

Because you went below?—Yes, he was angry with me because I went to preach about Jesus down below.

The captain and you had a "big fellow row" then?—Yes.

Did you go down to the women's quarters at night?—I did not go to the women's quarters at night; I went down to preach by day.

What time was it that the captain had a row with you?—About 6 o'clock in the evening.

Do you remember telling the Government Agent that you saw Captain Vos slap Sowka's face?—I did not tell the Government Agent that. I asked Sowka if the captain did slap her face. I then told Mr. Olver that Captain Vos had slapped Sowka's face.

Did you then tell Mr. Olver that you had not seen Captain Vos slap Sowka's face?—Yes.

How many of the return boys recruited again?—I can't remember all, but I think about nine.

Did not you act as interpreter for many of the recruits?—No.

Re-examined by Mr. Power.—He meant by "the women's quarters" the married people's quarters.

When you went down to pray were not the married men there as well as the women?—There was one Christian boy named Johnny of Apie there.

Did any other men remain there?—When Try did not work late he came there.

Was Try married?—He was not married then, but he got a wife on the ship. He was married to Toalli.

Was Basseah-Carlo a married man?—Yes, and he was there when I went to preach and pray.

Did you send a letter by the “Rhoderick Dhu” and one by the “Sibyl”?—Yes. I gave one letter to Willie Solomon, who took it by the “Rhoderick Dhu,” and one to Tom Malayta, who belonged to the “Sibyl.”

John O'Neill Brennan, re-called, stated that Try, Rovannie, Erringa, Socquow, and Amboo-oba had all been living together at the Immigration Dépôt or at Peel Island since they were taken off the ship on the 18th October.

Mr. Lukin tendered a copy of the “Queensland Government Gazette” dated 21st May 1892 containing the regulations under the Pacific Island Labourers Acts.

Mr. Feez objected to their admission on the ground that this was not a prosecution for breach of regulations, and the document was therefore irrelevant.

The Attorney-General submitted that the regulations governed the whole system under which Islanders could be introduced into Queensland. If, therefore, in addition to the other circumstances shown in the case, an omission was shown, he submitted that that was some evidence to go to the jury if it was contrary to the regulations. If, for instance, persons were on board the ship, and no entry was made in the log-book which the Government official was bound to keep, that was some evidence from which the jury might infer certain circumstances in connexion with the bringing of that person on board ship.

Mr. Feez submitted that this was a criminal prosecution for carrying away Islanders——

His Honour.—You notice that the regulations are to have the force of law. Suppose this was a matter of a municipality and the byelaws were put in, there would be no objection. How does this differ from an ordinary case of railway byelaws or any other?

Mr. Feez submitted that there had not been the slightest breach of the regulation at all, and his friend was simply trying by a supposititious case of breach of the regulations to bolster up a criminal charge.

His Honour: Do not use those objectionable words, Mr. Feez. It is not even polite English to use the words “bolster up.” If I had not been accustomed to the Queensland Bar for some years I should not even have known the meaning of the term. There are members of the junior Bar here, and it is only right that it should be pointed out that “bolster up” are not words which should be used when counsel are addressing the Judge.

Mr. Feez said he would call it by another term—an attempt to support a criminal charge by the suggestion that there had been a breach of certain regulations. They could only be admissible if some question arose as to whether a breach of these regulations had occurred.

His Honour.—It is a question whether a breach of these regulations and something else do not amount to kidnapping. You see it is illegal to bring Islanders into Queensland save as provided by the Act and regulations. If the regulations have not been complied with, it is illegal. These regulations ought to be complied with as regularly as the clock ticks the minutes.

Mr. Feez said so they ought to be. But suppose by accident there was an omission to enter the death of some Islander, or some other fact, was that to be brought in in evidence against a prisoner on a criminal charge?

His Honour.—*Primâ facie* the man is wrong.

Mr. Feez.—And if he committed a breach of the regulations of some other Act it would have been wrong too, but it could not be brought in in evidence against him on a charge of kidnapping.

The Attorney-General called his Honour's attention to section 8 of the Imperial Act, which contemplated the making of regulations under the authority of a Queensland Act of Parliament.

Mr. Feez said the charge was not that the prisoners had committed breaches of the regulations, but that they had taken those boys without their consent.

His Honour.—I have an idea that the difference between some of the prisoners and an independent person is this: If an independent person had been present on that shore and seen what had gone on, and had taken no part in it, he would not be an accomplice.

However cowardly it might have been for him to have seen men taken away, he is not bound to interfere. But if these men or any of these men go there it is their duty to interfere, and the question is, if it were their duty to interfere and they did not interfere, although neither the captain nor the Government Agent handled these men in any way, in their presence they allowed other men to take them. That is the point, and we have to go to this for it.

Mr. Feez.—I submit it will not assist in the slightest degree.

His Honour.—If it does not, it will not hurt your clients.

Mr. Feez.—I am suspicious. I do not know what use will be made of regulations of this sort.

His Honour.—I have pointed out what use will probably be made of it—that they had no business to stand by and see men assaulted though they did actually do it. If I had been there the law casts no necessity upon me to interfere. I can pull out my opera glasses and look at the whole proceedings, but I take no part in it one way or the other. But it is different if they had a duty to perform—if they were there in a position different from an independent person.

Mr. Feez.—I submit the regulations are not admissible, and they cannot assist in any way to come to a conclusion whether the ingredients of the offence exist or not, and they cannot be used for that purpose. Assuming that there has been a breach of any or either of the regulations, the effect of a breach of the regulations is that there is generally a penalty for it.

His Honour.—Do you appreciate my observations about an accomplice?

Mr. Feez.—Certainly, your Honour; but I press my objection.

The Attorney-General pressed the admission of the regulations.

His Honour took a note of the objection, and directed the regulations to be admitted.

Denis Shanahan, a detective, re-called by the Crown, stated that he had an interview with *Narwell Johnson* on the 12th January at the detective office. He made a statement, which witness took down in writing.

Mr. Feez.—Who sent him to you?—I made inquiries from him, and I think he came to me as the result of my inquiries.

Who caused you to make inquiries?—In consequence of a communication I received from Inspector Lloyd, who had received a letter from Mr. Brennan.

Mr. Lukin tendered the "Government Gazette," dated 31st August 1872, containing a proclamation that the Pacific Islanders Act of 1872 is in force in the Colony, and the "Government Gazette," dated 16th November 1875, containing a proclamation of 38 & 39 Vict. c. 51.

Documents admitted.

This closed the case for the Crown.

[Argument on the points of law raised for the prisoners will be found in another column. The Court adjourned till Monday morning.]

SUPREME COURT.

Monday, March 18.

IN CRIMINAL JURISDICTION.

(*Before his Honour Mr. Justice Harding and a Jury of twelve.*)

ALLEGED KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. G. L. Lukin (instructed by the Crown Solicitor), for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9, charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Evidence was called for the defence as follows:—

Joseph Keld, second mate of the "William Manson," stated that when they arrived at

Urassi Passage the Chief Quisoolia came off in a canoe. Quisoolia said to the captain, "Very good, you come to anchor; suppose you anchor me get 'em boys." The captain talked with him a little while, but witness could not hear all that was said. They were in the poop while they were talking, and several of Quisoolia's men were about the deck. The return Islanders were also on deck. The captain and Quisoolia went away in the steam launch with the lead line to take soundings. On their return the captain took the ship into the passage and dropped anchor. Witness heard Quisoolia tell the mission boys, Amboo-oba, Try, and Kobey, that he would have no black missionaries at his place, but if a white missionary came and gave him a boat and bought land from him he would protect him, and allow him to build a school. The mission boys had a talk about this, but witness did not hear what they said. All the time that witness saw Quisoolia he (Quisoolia) was on the poop. Witness heard one of the three boys talking about re-signing, which he could not tell, and the captain said there was plenty of time; he had better consider about it; if he liked he could go ashore. Witness did not see Quisoolia, the captain, or Try go into the captain's cabin, and, being on duty, he thought he would have seen them there had they gone in. The doors of the cabin were open nearly always, day and night. After Quisoolia left the vessel on the Saturday, witness did not see him again until the Monday. The first recruits got at Urassi were Erringa and Sooquow. They came on board on the Monday. Witness was not ashore when they were recruited, but he took particular notice of them when they came on board. He did not notice anything peculiar about them; they were not crying, and they had not the appearance of having come against their will. They signed on on the same day in the cabin. Before they did so, Olver told Try to explain the agreement to them. Try, who was acting as interpreter, did so, and neither of the boys seemed to object to sign, but appeared to be willing to do so. The signing-on in these cases was done in the same way as it was in all other instances. Witness did not see the third boy sign on. He saw Erringa and Sooquow frequently after they had signed the agreement, and he never noticed anything about them to indicate that they were unhappy and did not want to go to Queensland. He never saw anyone stop them leaving the ship. When they were being recruited the prisoner Hall was on deck. Witness did not remember seeing him in a boat all that day. He did not see him with them when they came on board. During the whole of the voyage he neither saw nor heard anything to lead him to believe that any one on board had been kidnapped. When the vessel returned to Brisbane witness was discharged, and went to Sydney. Witness only remembered Hall accompanying the recruiting boat on one occasion, and that was when a boy named Louie was recruited.

Cross-examined by Mr. Virgil Power.—He could not say who went in the first or recruiting boat. Mr. Olver was in the second boat, and with him were some native boys and one or two white men. The latter might have been Absalom and Dowsett, but he was not sure that they were. The ship at the nearest was a mile off the shore, and witness could not see what went on there. Witness saw Zeelotta come on board.

You are familiar with the regulations?—Yes.

Are you aware that there is an instruction that on the daily record and the log the name of each recruit obtained must appear, as also the number allotted to him on the list and on the certificate of engagement?

His Honour pointed out that the instructions were not in. All that had been admitted was a "Government Gazette" dated the 21st May, containing the regulations under the Pacific Island Labourers Acts, 1880-1892.

Mr. Power said he had understood that the regulations and instructions were tendered together.

His Honour said he had no note of them, and his note specifically described the regulations.

Mr. Power (to witness).—Do you know the regulations under the Pacific Island Labourers Act of 1892?—No.

Did you see Zeelotta come on board the ship?—Yes.

How long did he remain on board?—Two days.

What was he doing on the ship?—Doing nothing.

How was it that he did not sign any agreement?—I understood that his friends were not willing for him to go to Queensland.

Who kept the log?—Mr. Hall.

How is it that there was no mention of Zeelotta being on board two days?—I do not know. I did not keep the log.

Did you notice any man come on board wounded when Erringa and Zeelotta came on?—No.

If there had been such a man would you have seen him?—Yes.

If anyone said that one of Quisoolia's men got into one of the boats with recent cuts on his arm and leg, would it be true or false?—I cannot say. I did not see him, nor did I hear of anyone having been wounded.

Did any women come on board the ship?—Men, women, and children came on board. Two women stopped in the married women's quarters, and one old woman with three children slept on the poop at Urassi.

Were not two women on board for two months?—Two women were on board for some time, and they were then landed.

Did you not keep them on board for two months, and afterwards put them ashore when you returned to Urassi?—Yes. Wind and strong currents set in, and we beat about for some time trying to land them, but we could not succeed. They were therefore taken on and landed when we returned to Urassi.

You had a steam launch on board; why did you not land them in it?—That I could not tell you.

Was there anything to prevent you landing them with the steam launch?—I would not have liked to go ashore in her, nor would you. She would have gone down with the least bit of weather; she would not live as long as a ship's boat.

What was there to stop you landing these women in the steam launch?—I do not know of anything. I do not know why they were not landed.

When did you first see Quisoolia?—I saw him coming off in his canoe when we were outside the bay.

Re-examined by Mr. Feez.—The two women he had referred to were married women. He understood that their "boys" did not turn up to take them off. When they did not appear, and the ship got outside, the intention was to go to Manoba and land them there. He understood that the husband of one of them was a Manoba boy.

Do you know how these women got on board?—No; men, women, and children were coming on and off the ship all the time she was at anchor.

Where were these women landed?—They were landed right abreast of Urassi.

John Ellis, cabin boy on the "William Manson," stated that the Chief Quisoolia came on board the ship on the Saturday on which they reached Urassi. Quisoolia spoke to the captain on deck—he thought the main deck. Quisoolia could speak "pigeon" English. He (Quisoolia) told the captain that if he anchored at his place he would get some boys, but if he did not he (Quisoolia) would not allow them to come. The captain told him that he had three missionary boys for his place. Quisoolia then said he did not want any black missionaries; he wanted a white missionary. The captain and Quisoolia afterwards went away in the launch, and on their return the vessel was brought to anchor. During the whole of the time that Quisoolia was on board that day he did not go into the captain's cabin. There was neither a box nor a chair in the captain's cabin. On the Saturday afternoon witness overheard a conversation between Amboo-oba and the captain about re-signing on. Amboo-oba asked the captain to let the three of them—himself, Kobey, and Try—re-sign on. The captain told him he would not then, as there was plenty of time for them to sign later on. Amboo-oba said they knew they could go ashore, but it was no use their doing so, as Quisoolia would not let them make a school there. He added that they would return to Queensland and work for three years more, and would then return with a white missionary. The recruits Erringa and Sooquow signed-on in the cabin on the Saturday after tea, which was the usual time for signing-on. There were present at the time the captain, Hail, Curry, Olver, himself, Erringa, Sooquow, and Try. The latter acted as interpreter. After getting their names and a description of them, Olver told Try to tell Erringa and Sooquow that they were going to Queensland for three years, the rate of wages they would get there, and that when their agreement was finished the ship would bring them back again. Witness saw them sign the agreement. After Try had interpreted the agreement, Olver asked Try if they understood it. Try said "Yes." Olver then held the pen so that they could touch it, and put a cross opposite to their names. When Erringa, Sooquow, and Zeelotta came on board they did not seem at all upset, displeased, angry, or unwilling to come. Erringa and Sooquow seemed not only to understand the agreement, but appeared quite willing to sign it. At the time they came on board witness saw a boy with a cut on his thigh. It was only a scratch of about 3 in. long, but was bleeding a little, and looked like a new wound. Olver put some carbolic oil on it. Witness did not see any boy with a wound from a tomahawk. The wound he saw looked like a scratch by a nail.

He knew that Erringa could swim, because he had seen him swimming twice. Amboo-oba and Try were always growling and complaining about little things. They growled, for instance, about their food. The captain had a row with Amboo-oba about his sleeping down in the married women's quarters. The captain told him that he would put him in irons if he found him down there again. Witness himself saw Amboo-oba in the married women's quarters several times. Erringa and Sooquow were allowed to go about the ship the same as the other boys. On some occasions they helped witness with his work, and seemed perfectly happy. Witness, before getting to Brisbane, never heard any complaints about anyone having been kidnapped or brought against his will. When the three boys Erringa, Zeelotta and Sooquow came on board the prisoner Hall was on board. Hall was never out of the ship that day. It was usual for boys suffering from cuts and wounds to come on board to get the n dressed. They were always coming round "cadging" medicine when they were sick. Witness never saw three boats employed in recruiting at any time.

Cross-examined by Mr. Power.—Try told him Zeelotta's name some time after they left Urassi. Zeelotta remained a couple of days on the ship.

What was he doing there?—I do not know what he was doing, but they were waiting for him to sign-on.

Did he refuse to sign-on?—No, he wanted to go, but his friends would not let him.

How do you know that?—I was told so afterwards.

How did he come to be there two days before signing?—I don't know.

Was he crying when he came on board?—No.

What time did these three boys come on board?—I don't remember.

Do you remember whether the prisoner Hall went into a boat or not?—Hall did not go into a boat the day they came on.

You are sure of that?—Yes.

How do you remember that?—Because he was always on board. He was only off the ship once.

Did you see a flag hoisted that day?—Yes, I saw a flag hoisted on one of the boats to show that they had got recruits.

Did not a boat then go off?—No.

What was the object of the flag being hoisted, then?—To show the people on the ship that they had got recruits.

How far away were you from the shore?—I can't say.

Could you see anything going on on the shore from the ship?—I could see figures moving about there, but could not see what they were doing without glasses.

Did not you see a man come on board with two wounds on him?—No.

If a man did come on board wounded must you have seen him?—Yes; I would have seen him.

How many men had Quisoolia with him that day?—I could not say.

Do you remember a big man that he had with him?—He had two or three big men.

Did they come in the boats?—I don't remember.

How did this man get the scratch?—I heard afterwards that he had fallen on the coral. I don't know whether it was true or not.

Was it not a clean cut?—No. It was a sort of a scratch.

Was the launch in good order?—I suppose so. I had nothing to do with it.

Did you see it working all right?—Yes.

Quisoolia went with the prisoner Vos in the launch?—Yes.

How long were you at Urassi altogether?—I think about a week.

And the launch was going backward and forward all the time?—She was with the boats all the time.

And while you were there was the weather fine?—Yes.

And there was nothing to stop anyone going ashore?—No.

Either in the boat or in the launch?—The launch never put anyone ashore. She only towed the boats.

You remember two women coming on board at Urassi?—Yes.

What were their names?—Toalli and Quimammo.

How long did they remain on board?

Mr. Feez objected to the question, on the ground that it was irrelevant. The prisoners were charged with the kidnapping of two boys, and Mr. Power was trying to get the witness to say something concerning others.

His Honour.—I suppose it shows the class of ship, from the conduct on the ship in which were the prisoners who are being prosecuted. I cannot see anything more relevant.

If the place was a pandemonium it is just the place where you would expect kidnapping to be carried on.

Mr. Feez submitted that it was an attempt to make use of some other supposed kidnapping. He knew the reason of the question, and submitted that it was not admissible, and could not help to prove this particular charge.

His Honour admitted the question as going to credit.

Mr. Power (to witness).—Those two women came on to Queensland?—Yes.

Did not two other women come on board there?—Yes. Berah and Longyambo.

What became of these women?—We landed them again.

Where did you land them?—Somewhere near Urassi. I don't know the place.

And how long were those two women on board the "William Manson" before they were landed again?—Oh, I could not say.

About how long?—They were there about a month or more.

Where did the ship go to while they were on board?—To the other Solomon islands, Guadalcanar and Gala.

And then returned to Urassi?—Yes.

And these two women were on board all the time?—Yes.

Were their husbands there?—No.

How were they sent ashore?—In one of the ship's boats.

Where did they sleep, these two women?—Down in the married people's place.

When they were sent ashore the vessel was outside the reef?—I suppose so.

Why were they kept on the ship a month?—Because we could not land them.

Why could not you land them?—Because we were too far from the shore.

What was there to hinder the launch going to land them?—I don't know.

Was there anything to prevent anyone being landed in the steam launch?—I don't know.

Was there anything to prevent these women being sent ashore in the steam launch or in one of the ship's boats?—No, I don't think so.

How many boys signed-on on the Monday, the day that Erringa and Sooquow signed? Only those two signed-on.

Were there not three others who signed-on that day?—No, I don't think so.

Was there not one other boy who signed that day?—No.

Re-examined by Mr. Feez.—When he said no boys signed-on on the Monday he meant no "new-chum" boys. He knew a boy named Gayyanseah, but was not present when he signed-on. Gayyanseah was a return boy. The husbands of the two women who were on board were two Manoba boys.

What were the circumstances under which these women came on board?—These women came there. Their husbands went to land their boxes, but they did not come back, and the current carried the ship off the land.

Had their husbands made any arrangements to come back?—Yes, they were to come back when the ship was off the land.

Mr. Power.—Did you hear all this yourself?

The Witness.—No, I was told so.

Mr. Feez (to witness).—Was any time lost in trying to land these women?—Yes, we were off the same place for a long time.

And when you could not land them then you put them ashore directly you came back?—Yes.

Their husbands, the two Kanaka boys, were return Islanders from Queensland?—Yes.

Richard Howlin, an A.B. on board the "William Manson," gave similar evidence with reference to the conversation with Quisoolia, the recruiting of the boys, their arrival on board, and their demeanour while on the ship. He said they were perfectly contented when they came on board. They were not crying, and they made no complaint during the voyage that they had been brought against their will.

Cross-examined by Mr. Lukin.—He knew a boy named Kalangus, but he never heard of him making a complaint. The first time Quisoolia came on board he was only there a couple of minutes, and went away before dinner. Witness could not say whether he left before the ship came to anchor or not.

How is it you know Zeelotta's name?—I have heard it often enough.

Since when?—Since I have been in Brisbane. I have only learned his name since then.

Where did you see Erringa swim?—At Urassi Passage, and also at Guadalcanar, another island.

How many South Sea Islanders were there on the vessel?—About 150.

How do you remember seeing him swim?—By the peculiar way in which he swam. I never saw him go far from the ship's side.

Did you see a man come on board with a cut on his arm?—I do not remember.

Did you see a boy at any time with a cut on his arm?—I do not remember.

You remember women coming on board at Urassi?—Yes.

How many came on board?—Five.

Can you name them?—No. I can name two of them.

What were their names?—Quimammo and Toalli.

Do you remember two other women coming on board named Berah and Longyamba—
—I remember two other women, but not their names.

Had they their husbands with them when the vessel left Urassi?—Not when the vessel left.

Can you tell me why they were not landed?—The ship left for Manoba to get their husbands, who were return boys.

Why did not the ship land them at Manoba?—The ship could not get there because of calms and currents.

Frank Hickson, seaman on board the "William Manson," gave corroborative evidence.

Cross-examined by Mr. Power.—You say Amboo-oba was not very contented on board?—No.

He was annoyed about his box being left ashore, was he not?—I never heard anything about his box.

Did you not know that he had taken one ashore and had left one on board?—I knew he had taken one ashore, but I did not know that he had left one on the ship.

Do you know Erringa?—Yes.

Who came on board with him the first time you saw him?—Sooquow.

You have heard since that the name of the third boy was Zeelotta?—Yes.

Why did he not come to Queensland?—I understood that his friends did not want him to do so.

Did Erringa and Sooquow come willingly?—I never heard anything to the contrary.

Did you not see these two boys dragged on board the boats from the shore?—No.

Do not you know perfectly well that they were dragged on board?—No.

When did you first hear that it was alleged they were?—In Brisbane.

What part of the ship were you in when they were recruited?—I was walking around the deck; I was not in any particular place.

Could you see the shore?—Not without glasses, and I never looked through them.

Were you on deck when those three boys came on board?—I cannot remember whether I was on deck or not at the time.

Cannot you say whether you were on deck at that time?—I cannot remember being on deck at the time.

Do you remember seeing a wounded boy?—No.

Did you see a man with a cut on his arm or thigh?—No.

Could there have been a boy there without your seeing him?—I daresay there could.

Did you hear that there was a boy wounded?—No.

You have heard it since you came to Brisbane?—I have heard talk about it in Brisbane.

Did you hear that Zeelotta wounded him?—No.

How can you remember the particular boy Erringa swimming?—The same as I can remember any other person—by his face.

You remember him by his face?—Yes, and by his peculiar way of swimming. He used to paddle like a dog and keep his head down.

Will you swear that he could swim a single stroke or could by himself float in deep water for two minutes?—Yes.

His Honour.—When did you first know him by his face?—I got accustomed to him after a bit.

You said you did not see him come on board, and two days afterwards you knew him in the water by his face. I want to know how you did it?—I did not know him very well then.

When did you know him to call him by his name?—I cannot tell. A few days after he came on board.

Did you know him by his name at any time before you saw him swimming?—No.

Joseph Vos was then sworn, and gave evidence from the dock as follows:—He stated that he was a master mariner. He was the master of the "William Manson" during her late voyage, and thought he was still. He continued in charge of her until 28th December, when he was committed for trial on this offence. He remembered

arriving off Urassi Passage. The Chief Quisoolia came off in his canoe. Knowing him by sight, he hove the ship to, and Quisoolia came alongside. He came on deck, and witness met him at the gang-way. Quisoolia said in "pigeon" English, "How are you getting on, captain?" Witness replied, "All right; I have plenty of boys to land here, but I do not intend to anchor." He said, "If you anchor you will get plenty of boys." I replied, "Your passage is not very safe for a ship like this." He said, "Oh, it is all right; you come in and look at it." At this time the launch had steam up for the purpose of landing boys. All this conversation was carried on on deck close to the gangway. Witness might have gone on to the poop for the purpose of giving orders, but he did not enter his cabin either with Quisoolia or Try. Witness and Quisoolia entered the launch, in which were also the prisoner Curry as steersman, and the witness Nash. He found fault with Curry's steering, and told Nash to take the tiller, as Curry was paying more attention to Quisoolia's conversation than the steering. They went into the passage for about four miles from the ship. Witness sounded the place, and thought with care he could get his vessel in. They went back to the ship after being away, he supposed, for an hour or an hour and a half. It was before dinner that they arrived back at the ship. Witness "filled on" the ship, and stood in to the anchorage. When the ship had way on her witness had a further conversation with Quisoolia on the poop. He said, "I have three missionary boys on board who wish to form a school here." Quisoolia replied, "Where do they belong to?" Witness said, "Oh, they are men of Malayta." Quisoolia said, "Let me see them." Witness sent some one forward to send the boys aft. They came aft, and witness said, "These are the boys, you can talk to them yourself." Those boys were Amboo-oba, Try, and Kobey. Quisoolia spoke to them in their native language for five or ten minutes, and then turning to witness said, using a forcible expression, "I do not want those — black missionaries here. By-and-by they will be bigger than I am," and, tapping his heart, "I am Quisoolia, and I am boss here." Witness said, "You are a friend of the white man, Quisoolia, are you not?" He said, "Yes; I like white man. One white man that was wrecked here I looked after him a long time." There was a great deal of general conversation. It would be absurd for him to say that he (witness) remembered every word of it, as it was now ten months ago. Quisoolia said the boys could land, but they could not make a school there. Quisoolia spoke "pigeon" English, and very good "pigeon" English at that. His "pigeon" English was better than Try's and nearly as good as that of Amboo-oba, and he was more intelligent than either of them. Coming to anchor witness had a further conversation with him. This also took place on deck, while the sails were being made fast. The three boys were hanging round, and Amboo-oba, acting as spokesman, said that, as Quisoolia did not want them to land, the best thing they could do was to re-sign and go back. Witness said to Quisoolia, "The white missionaries in Brisbane have asked me to ask you to allow the boys to land and make a school. You have refused. Will you allow a white missionary to come and make a house here?" He answered, "If he is a good man and a friend of yours, yes; but he must buy some land off me, and I want a boat and box brought down for it." A box meant a box filled with all sorts of notions, axes, tomahawks, beads, &c. Witness asked "What sort of a boat do you want, Quisoolia?" He said he wanted a boat like one of the ship's recruiting boats, but he wanted her covered in fore and aft. Witness told him he might be sure that he would get one. He then wanted witness to give him one of his own until the missionary came. Witness told him he could not do that, as he only had two large whaleboats. Witness said to Amboo-oba and the other boys there was no hurry about re-signing; they could go forward and talk about it among themselves. Witness did not go into his cabin with Quisoolia, or at any time in his life with Try. He did not ask Quisoolia to steal boys for him. The only time Quisoolia went into his cabin was to hear the phonograph, and witness thought that was a day or two before the vessel left Urassi. There was no necessity to employ Try as an interpreter between himself and Quisoolia, because the latter spoke better English than Try. Witness did not promise Quisoolia a boat and a box if he would steal boys for him. Quisoolia finally left the ship shortly after the boats with the returning boys. Amboo-oba went ashore that afternoon to land his box. Before he did so he told witness he intended to land one box and keep the other on board. Witness did not at any time tell him that he would not allow him to land or endeavour to prevent him landing, and, as a matter of fact, Amboo-oba was ashore several times. The boats were employed in landing "return" boys until late in the evening. On Sunday they were employed in getting water. Quisoolia did not come on board on Sunday, but on Monday morning he came on before breakfast. Witness thought he came on board while they were at the table. Witness asked how it was he

was not on board on the Sunday. He replied that his stomach was no good; "he'd been talking along a devil devil, and killed a pig, and now he was all right." This was a superstition of the Islanders. They had a lot of devils who they believed gave them diseases, and they made sacrifices to them. Quisoolia said there were some Islanders on shore who wanted to go to Queensland, adding that if witness would allow his boats to go ashore they would get boys. Witness asked him if he would go in the boats. Quisoolia said he would, and if any of the boys wanted to go no one should stop them. Quisoolia went in one of the boats which left soon afterwards. Witness as he always did, remained on board. The prisoner Hall also remained on board, and witness was certain he never left the ship that day. A third boat was never used in recruiting, because it was not necessary. Witness saw the flag hoisted on the boats, and that signified that they had got recruits on board. It was the custom of every ship in the trade to hoist a flag when recruits were taken on board. The reason for it was that if a ship were under way she would stand in to her boats if the signal was given, otherwise she would remain as she was. It was not the custom to send a boat from the ship when a flag was hoisted. No boat left witness's ship when the signal was given. When the boats returned, two recruits, whose names he had since learned were Erringa and Sooquow, were in the Government Agent's boat, where recruits were always put. A third boy, Zeelotta, was in the recruiter's boat, and by that witness knew he was not a recruit. When they came on board, witness's boat—the captain's boat—was hanging on the davits and had not left the ship that day. He did not think that she left the ship the whole of the time they were at Urassi. The boys when they came on board were perfectly naked. They seemed nervous and timid like all "new-chum" recruits, but they were certainly not crying. He believed they were smoking. They got out of the boats and climbed up the ship's side themselves, and generally seemed most willing to come. Witness knew the Malaytan tribes. They were very ferocious and were cannibals. He might mention that at Try's place they were offering 8,000 porpoise teeth for a white man's head. Porpoise teeth were very valuable there, and 8,000 of them would represent quite a fortune. Witness did not know the tribe to which Erringa and Sooquow belonged. They signed their agreements the same evening that they came on board. Witness saw them do it, as it was his duty to do so. They signed in the main cabin, in the presence of the Government Agent, himself, Curry, and Jack, the cabin-boy, who were always present when recruits signed-on. There were always others present. Try was used as interpreter. The signing-on was done in this way:—Mr. Olver took the engagement sheet and put it on the table and sat down in front of it. The two boys were then called down, and Olver told Try to explain the agreement to them, saying, "What I say you be sure they understand, and don't let them sign if they don't wish to go to Queensland. You tell the boys they are going to Queensland for three years. They are going to work on the sugar plantations. They get 6*l.* one year, 6*l.* two years, 6*l.* three years; making 18*l.* altogether. They get clothing—so many hats, boots, trousers, &c. When your time is finished, the ship will bring you back again to your own place." The boys seemed to understand what was explained to them by Try, who also showed them on his fingers the number of years and pounds. They spoke to Try freely, and seemed perfectly willing to sign the agreement. Knowing a little of their language, witness would have known if they had been unwilling. Try used no force to make them sign, but he might have guided the hand of one of them while he signed. Zeelotta wished to sign.

At this stage the Court adjourned until 10 o'clock on the following day.

SUPREME COURT.

Tuesday, March 19.

IN CRIMINAL JURISDICTION.

(Before his Honour Mr. Justice Harding and a Jury of twelve.)

ALLEGED KIDNAPPING.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. L. O. Lukin (instructed by the Crown Solicitor), for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain, George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9. charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Joseph Vos, continuing his evidence, stated that he had since heard that the third boy who was on board with Erringa and Soquow was Zeelotta. That boy did not come to Queensland, and was, he thought, on the vessel two days. In explanation he thought he ought to say that often boys remained on the vessel for days without his knowing anything about it. He knew, however, that Zeelotta was on board, because he wanted to sign and his friends would not let him. Try brought him to witness two or three times to sign, but witness said he could not sign because his friends had not yet appeared. After two days Quisoolia came on board with some Natives, who witness understood were friends of Zeelotta. Quisoolia said that these friends did not want Zeelotta to go to Queensland. Witness said, "Very well, Quisoolia, take him ashore." Quisoolia then took him ashore. Witness did not know a man of Quisoolia's called Cowah. Witness was on deck when the three boys came on board, and he did not see any other boy with wounds on his arms and legs. Witness had had 10 years' experience amongst the South Sea Islands, and he knew that "bushmen" who visited the salt water commonly could swim.

Cross-examined by Mr. Power.—He was on board when the other three boys came on board, and if a wounded man had also come on board he would have seen him—that was if he had been wounded as had been described. If any one had said that such a boy came on board it was a deliberate lie. He remembered the two boys Erringa and Soquow coming on board.

Have you any recollection of these two boys?—I know they came on board or they would not be here to-day.

Do you remember them coming on board at Urassi?—Certainly I do.

You know Mr. Brennan?—I do know him.

You know Mr. Caulfeild?—I do.

You remember them holding an inquiry on 13th October last?—I do.

They examined you?—Yes.

Do you remember Mr. Brennan putting this question to you: "Do you remember the first two new-chum recruits"?—Yes; I believe he did.

Do you remember answering him, "No, I cannot say I do. I cannot even say where they were got from—from memory"?—I perfectly remember that, and an explanation is necessary, too.

Yes. Wait a minute; you will have every opportunity. Did you say that "the first two recruits were got somewhere on the Malayta coast, but where I cannot say"?—Quite right. It was not referring to "new-chum" recruits. It was recruits I said.

You said you wished to make some explanation; will you make it now?—Yes, I said some boys had signed before these came on board, and I had to get an explanation from Mr. Brennan as to what he actually meant—whether he meant "new-chums" or recruits, and when he explained I said the first recruits were got on the Malayta coast, which is perfectly correct.

Now was not Mr. Brennan's question "Do you remember the first two 'new-chum' recruits"?—I asked Mr. Brennan for an explanation of that.

Did Mr. Brennan put that question to you?—There was a conversation which led to the explanation.

What did you understand by "new-chum" recruits?—He mentioned the words "Where did you draw your first blood" as a matter of fact.

What did you understand by "new-chum"?—It might refer in the case referred to as being the first recruits who signed.

Do you remember Mr. Caulfeild saying your memory must be bad?—I have a perfectly good memory.

I did not ask you that. I asked you did you remember Mr. Caulfeild saying that your memory must be bad?—I do not remember Mr. Caulfeild speaking to me.

Do you remember saying this, "There were a great number of Natives. You are very likely to get mixed with the two trips"?—I did say so. We had 192 return Islanders on board.

Did you not go on and say "I may tell you that at Urassi you might have 100 canoes"?—I never said such a thing. I might have said 100 people.

Then you did not say that?—I did not.

Do you remember Mr. Brennan saying this to you: "It is a most incredible thing to me that two 'new-chums' came on board the ship and you cannot tell me anything about them"?—It is quite possible Mr. Brennan might have said such a thing, but I cannot remember whether he said so or not.

And do you remember making this answer: "You might just as well ask me the name of each of the recruits. If I folded the paper you have there and I asked you you could not tell me, and you have been through the list"?—I did say so.

Do you remember saying, "We don't take much notice of recruits until we have got 50 or 60"?—Yes, that would refer to knowing the names of the recruits.

How far was the ship from the shore on the 21st May?—About three-quarters of a mile or a mile, more or less.

Were you using your telescope?—I did sometimes.

Were you using your telescope on the day that Erringa, Zeelotta, and Sooquow came on board?—I cannot say.

If you were using your glass you could see everything that occurred on the shore?—Perfectly, abreast of the ship—perfectly without glasses such things as trees and houses.

If a struggle went on on the shore could you have seen it?—Are you speaking of abreast of the ship?

You remember a crowd being on the shore?—I remember several crowds being on the shore.

I am speaking of the time that Erringa and Sooquow were recruited?—I cannot say. I was lying down on that day. I did not see the boats on the shore on that day.

What was Zeelotta doing on board for two days?—What was any other boy doing on board two days?

I did not ask you that. I asked you what was Zeelotta doing?—He wanted to go to Queensland.

How was it if he was on board two days he was not entered on the log?—I cannot say. I do not keep the Government Agent's log.

You knew his name was not put down in the Government Agent's log?—I did not know anything of the kind.

What logs were kept on board?—The Government Agent's log, the mate's log, and the official log.

Had you anything to do with them?—Nothing.

Now, if all three boys had been dragged on board the boats, must you have seen it?—Not necessarily. They might have been out of sight at the time.

Did Mr. Brennan ask you "Did you hear nothing about a boy who was being recruited on the beach using a tomahawk on another boy"? and did you reply, "I never heard of the slightest trouble at Urassi, nor at any place during the voyage, except at Lanemu. No such disturbance could have taken place. It might have happened a good distance from the shore, but not at Urassi. Neither did I hear of any attack while the ship was at anchor. I am certain that such a thing could not have occurred." I was all day on the ship with my telescope?—Yes, but I would like to explain that it was a general conversation that took place—a mere general conversation without special questions being put to me; and as evidence of that I wish to point out to your Honour that I could hardly have been asked the questions in the order given by the learned counsel for the Crown.

His Honour.—You had better send your counsel away. If you make all those speeches he will have nothing to do. Tell us facts without argument or conclusion—either you recollect or you do not, and if you do not, say so. You said something about the observation about the telescope applying to Lanemu?—The observation about the telescope applied to Lanemu.

Mr. Power.—Now, when Mr. Brennan was examining you and you gave this answer, did not you understand him to be referring to when you were at Urassi?—I was referring to Lanemu most decidedly, because the ship was under way. I would not be using the telescope if the ship was at anchor. I could not have said such a thing.

Exactly. I refer you again to what your answer was. When he asked you, "Did you hear nothing about a boy who was being recruited on the beach using a tomahawk on another boy" what place was he speaking of?—I do not know. He was speaking of the two places. It was a general conversation, and might have applied to either of them.

But where was he referring to?—I cannot remember just now. He does not even say at Urassi.

What did you understand then?—I understood that when he spoke then he was referring to Urassi; but the conversation was general.

And then you replied that “You never heard of the slightest trouble at Urassi nor at any place during the voyage except at Lanemu”?—Yes.

Were you at anchor at Lanemu?—No. I was not.

Then what were you referring to when you said, “Neither did I hear of any attack while the ship was at anchor”?—The ship was not at anchor at Lanemu.

Does not this answer of yours refer to the anchoring of the ship at Urassi?—Yes, certainly.

Do you remember two women coming on board at Urassi?—I do.

What were their names?—To which do you refer? I have seen about 50 coming on board.

His Honour.—Give him their names.

Mr. Power.—Do you remember Sowka coming on board?—Yes; she came on board on 20th May.

Is there any entry by which you can tell the date on which she came on board?—No, certainly not, no more than any other women.

You remember Towalli coming on board?—I remember several women coming on board. I cannot fix on any particular women.

Do you remember two women remaining on board a couple of months?—I do.

What were their names?—I have since had reason to remember that their names were Longyamba and Berah.

And where did you take them to?—They went from Urassi around the Solomon Islands, and back again to Urassi.

And you then landed them?—I then landed them at Urassi, abreast of the passage.

There is no entry in any of your books of their being on the ship?—I cannot say.

Do you know of any entry?—I do not know of any entry.

Were their husbands on board?—They were when they first joined the ship.

And what became of their husbands?—They went ashore to land their boxes. They were return Islanders on the ship.

What were the names of these boys?—I do not know their island names. One we called Charlie, who was the Natives' cook, and the other Johnnie.

Have you any record showing the names of the boys you had to return, and the islands at which they were to be landed?—No.

Had you any on the ship?—No. Of course the Government Agent had something.

You are the captain of the ship?—I am.

You knew you had certain boys to return to certain islands—how did you know to which islands to return them?—By referring to the Government Agent.

Where were these two boys to be returned to?—As far as my memory serves me, they were down for Manoba, which is a small island inside the reef about a mile from the main island of Malayta.

Did you ask the Government Agent (the prisoner Olver) to enter the fact of the two women being on board into his log?—I did, and I think he said, “We will have them ashore in a day or so, and it is hardly worth while entering them.”

Did you ask the mate to enter it?—I did, and he said that, after some conversation with the Government Agent, he had concluded not to enter it.

Had you any conversation about meeting a man-of-war, and these two women being found on board?—Yes.

Who was that with?—I cannot say. It was a general conversation at the table.

Did you say “I can only say I advised the Government Agent to record the whole circumstances, but he was frightened to do so because he thought he would get into trouble”?—I have already said I asked him to do so.

Did you also say, “I asked him straight out, and I told the mate that he ought to record it, and he said that, in deference to the Government Agent, he would not do so”?—Yes, I believe those were the exact words.

What other women do you remember coming on board at Urassi?—I remember several women recruits were got at Urassi. One was called Youngwarrah, one Quimammo, and one Gualloimi.

Where did Quimammo come on board?—At Urassi.

What day?—I could not say.

Was it before the end of May?—I think it must have been some time before the end of May.

When did you enter them as coming on board?—I did not enter them at all.

[Look at this document.]

[Witness looked at the document, and the prisoner Olver came close to him and appeared also to be examining it.]

His Honour (severely).—There must be no conversation between witnesses. You must remember that if you get off on this offence you can still be as severely punished for contempt. I will not allow any conversation between witnesses.

Mr. Power.—What date does that document show she came on board?—The 26th day of August is the date I signed that document.

Does not this purport to show that she came on board in August, 1894?—Let me see it again, before I answer that question.

Certainly (*handing witness the document*).

Witness.—This document does not refer to the person you have mentioned at all.

Mr. Power.—No, it is a mistake. I have handed you the wrong document.

His Honour.—You should be very careful; there are plenty of you there to see that the right document is handed to the witness.

Mr. Power (*showing witness another document*).—Is that your signature?—That is my signature.

When did Quimammo come on board?—I cannot say. Sometimes these slips are not filled in for some time afterwards.

You have signed it as Joseph Vos, master of the vessel. Cannot you say when she purports to have come on board?—She does not purport to have come on board at all in this document.

Look at the writing in the corner?—I presume that would be the date in the Government Agent's log. It does not purport to be the date on which she came on board.

That woman Quimammo was really on board at the end of May?—Yes; I believe so.

When was Youngwarrah recruited?—I cannot say from memory.

Can you tell us by looking at this document, (*handing witness a document*)?—I can say from this document that it was 31st May 1894.

Where was she recruited from?—Langé Langé.

Is that on the opposite side of Urassi, on the island of Malayta?—Yes; I believe it is.

Where did you recruit Sowka?—I believe while the ship was at Urassi.

And she came from Urassi?—I cannot say. She might have come from Timbuctoo.

You are on your oath now. Are you talking seriously, when you say she might have come from Timbuctoo?—I cannot say where she came from. It was not part of my duty to know where these women came from.

You spoke of Quisoolia being on board, does he speak English?—I have already said so.

Had he anybody assisting him to interpret when he was talking to you on board?—No.

Had he not a man named Lieutenant?—Yes; I believe he had. I think he was the boy I called Joe.

You referred to him as Quisoolia's right hand man?—Yes. He is left in charge when Quisoolia leaves the place.

You remember saying to Mr. Brennan that Quisoolia said, "Me do not want black'em mission. Supposing white man, he want 'em stop, me look after him. Pay 'im ground, he put him up house"?—Yes.

Did you tell Mr. Brennan whether he said this himself, or through an interpreter?—Yes. He speaks English, and said it in both. He had a man named Lieutenant, his right hand man, with him, and they were both talking.

Re-examined by Mr. Feez.—Sowka was the wife of a boy named Mylallo, a return boy on the ship. He re-signed and came back to Queensland and brought his wife with him.

Was it part of your duty to keep a list of the Natives recruited?—No.

His Honour.—He told us yesterday that he and Hall, and the cabin-boy were always there when boys signed on. What was he there for if he had no duty to perform?

Mr. Feez.—Was it part of your duty to make any entries in connexion with Islanders on board?—No; my duty when the signing-on took place was to my charterers. The amount of wages payable to each boy is limited, and I was there in the interests of the planters.

Have you heard any complaint that this woman Sowka was in any way brought against her will?—Mr. Brennan alleged it, when he signed her on here.

She appears as recruited at Langé Langé land; how is that?—That is because her husband wanted to be returned to Langé Langé land, and she was entered in that way so that no mistake would be made when they were being returned.

Now, these two women, Berah and Longyamba—explain the circumstances under which they came on board?—They came on board, and were the wives of Johnnie Manoba and Charlie, two return Islanders on the ship, who had each recruited to come back to Queensland. Their husbands went ashore to land their boxes, leaving the two women on board. They told me that they would return to the ship when she was under way. When the ship was outside of Urassi Passage, we saw no sign of them. During the first night we were out there was a strong current, with light and baffling winds. We still expected we might see them next morning. We were then a long way off the land, and as it was not safe to send boats away from the ship to the island of Malayta when the ship herself was not in sight of the shore, no prudent man would have sent his boats in.

His Honour.—Does not that contrast somewhat strongly with the expectation that the boys would come out in a canoe?

The Witness.—No. They would have had no difficulty in landing again, but our boats might have been attacked by the Natives. That is the meaning of it.

Mr. Feez.—Did you try to make the shore with the vessel?—I did. I think five or six days were lost trying to land these women, and I may say in explanation that we lost about 14 days in making a distance of about 80 miles. Ultimately we brought them back and landed them in a whaleboat at the place at which they were got.

Is the steam launch a safe vessel to go about in?—One of the whaleboats would outlive three times the sea that the steam launch would. The launch is meant for smooth water when the ship is at anchor inside the reefs.

Were these women interfered with at all on board?—They were never interfered with from the day they came on board the ship to the day they went ashore, in any way.

As a matter of fact, did they wish to go ashore?—They did not. They would have come to Queensland willingly, but they had no husbands with them, and it was against the regulations to bring them.

Who was Quimammo?—The wife of a boy named Rovannie.

Tell us the circumstances under which she was recruited?—I remember her coming on board with, I think, several other women.

How was it she was not entered as recruited?—Because she belonged to a boy who lived at some other place, and she was not recruited at all until he came on board.

Where did Rovannie come from?—I am not sure. I think it was Langé Langé, too.

Was there anything the matter with this woman?—I think there was. One of the two women had something the matter with her. One of them was diseased, and the other was covered with sores.

If they are diseased, do you recruit them?—Yes, if we thought we could cure them, but not if we thought we could not.

How long was this woman ill?—It was for some considerable time afterwards.

Was she cured when she arrived in Queensland?—To the best of my belief. Dr. Wray passed her.

And Youngwarrah; who was she?—She was the wife of Attamtow, a return boy. I think he also re-engaged.

Do you remember her coming on board?—I cannot say I remember her particularly, but I know she did come on board. I might say, in explanation, that several of these people were backwards and forwards several times before they could make up their minds to come.

You let them come and go as much as they liked?—Certainly. It was to our interest to do so.

Michael Joseph Curry, recruiter on the barque "William Manson, after corroborating the previous witness as to the interview with Quisoolia, said that when he went recruiting on the Monday he did not start for any particular spot, but let himself be guided by circumstances. Quisoolia went with him. Seeing a lot of Natives on the shore, he backed his boat in stern first. When the keel grounded they were close to the shore. The covering boat remained from three to seven boats' lengths off, floating in shallow water. When witness's boat grounded, he reckoned there were about 150 Natives on the shore. The majority of them were armed with Snider rifles, spears, bows and arrows. Witness had been down to these islands before and knew the Natives to be fierce and warlike. He had also heard that they were cannibals. The Natives on the beach consisted of bushmen and salt-water men. The former were easily distinguishable by their hair and

the fact that their bodies were painted with a bluish-black mud. Quisoolia was chief of the salt-water men and Soobah of the bushmen. As soon as the keel of witness's boat grounded Quisoolia got out with two others and waded ashore. They went up to where the bushmen were and sat down among them. They stopped there about 10 minutes, apparently having a chat. When they had finished talking the whole body of the Natives moved towards the water, and came to witness's boat. Three boys got in. These were Erringa, Sooquow, and Zeelotta. The latter had a Snider rifle. Quisoolia called out to Olver, the Government Agent, that three boys wanted to go to the ship; two of them would take their payment then, and the other would wait for a while. On the shore there was the usual excitement of boys going away. Witness gave trade for Erringa and Sooquow to Soobah who was Erringa's father. At that time Soobah was sitting in the stern of witness's boat, and witness knew he was Erringa's father, because he said he was through Quisoolia. Zeelotta remained in witness's boat. After they had come on board the boats, witness returned to the beach with a box of tobacco, and ran along scattering it about, and having a bit of fun with the Natives. The Natives did not attempt to molest him, but on the contrary, were very friendly with him. While he was running along he dropped his revolver, and before he went back one of the Islanders, who had found it, handed it back to him. It was not a fact that these three boys were taken on board the boats against their will. There was not a word of truth in the statement that they were. They were not in any way forced to come, nor was any other boy. No boy at any time was wounded by another with a tomahawk. The prisoner Hall was never with the recruiting boats but once during the voyage, and that was not on this occasion. He was not in a boat at all on this day so far as witness knew. The captain's boat did not leave the ship and come to the recruiting boats after the three recruits had been obtained. The only boats on the scene at all were the recruiting boat and the covering boat. The Islanders at no time threatened to shoot on the boats. As soon as the recruits were taken on the Government Agent's boat, the flag was hoisted. The ship remained at Urassi for about a week after this, and witness went ashore several times. On no occasion did the Natives attempt to molest him. While Soobah was sitting alongside witness in the recruiting boat, he told him, through Quisoolia, that Erringa was his son. Witness made him a present of pipes, tobacco, and nicknacks of that sort. He (Soobah) took the trade which witness gave him for Erringa and Sooquow, shook hands with witness, and then went ashore. Before he left, Erringa gave him his rifle. After this Quisoolia returned to the boats and they started back to the ship. Try told him that Zeelotta wanted to sign, and he (witness) refused to let him, because he did not care about taking him until the Government Agent was satisfied about it. Witness acted as recruiter right throughout the voyage, and performed his duty very carefully. He first heard of complaints about the way in which recruiting had been carried on when the vessel arrived in Brisbane.

Cross-examined by Mr. Lukin.—Quisoolia came in the boat as an interpreter to assist witness to that extent in the recruiting. In October last Mr. Brennan asked witness some questions, but did not examine him. He did not remember Mr. Brennan asking him if he remembered recruiting two boys at Urassi. He recollected that there was some talk about it. He remembered Mr. Brennan putting a question to him whether the first two recruits were got at Urassi. He replied that he did not know, but would know the recruits if he saw them. Then Mr. Brennan asked him about some women, and witness replied that he knew about the women who came on board at Urassi. Mr. Brennan might have asked him if Quisoolia assisted him in recruiting, but he could not remember whether he did or not. He could not recollect whether he replied, "No, he did not." He thought he said to Mr. Brennan, "Quisoolia was not in my boat. He was often in my boat, but I do not exactly remember. I remember the morning they came, but I cannot remember who was in the boat."

Was that a truthful answer?—Yes; as far as I then remembered.

Your memory has been refreshed since that date?—Yes; the circumstances have been brought very vividly to my mind since, and some of the details there are true, and some are not.

You say you never heard complaints made during the voyage?—Oh, yes; I heard complaints, but not about kidnapping boys or women.

Did you hear Amboo-oba make his complaint to Mr. Brennan?—I heard part of it, not the whole.

What part of it did you hear?—All I heard him say was, "No, a boy at Urassi told me."

You say you conducted your business carefully?—Yes.

Was there never any trouble with the "William Manson" while she was in the South Seas?—Yes, there was once.

Where was that?—At Ambrym.

What was the trouble at Ambrym?—A boy recruited one evening, and the Chief and a crowd of his people—almost a deputation—came off to the ship and asked the boy to come back again. The boy refused, and they made all sorts of threats and then they went ashore.

Did not the Natives seize one of the boats before they came on to the ship?—Yes.

What did they do with the boat?—They dragged her up on the beach, half way out of the water with all hands in her.

How long did they keep her there?—About half-an-hour, or perhaps not quite so long.

This was until the question which gave rise to the deputation was settled?—Yes.

Was that the only instance in which there was trouble?—There was also trouble at Lamenu Island.

What was the trouble there?—It was over the recruiting of a boy and his wife.

Did not the trouble arise over the woman?—No; I think it was about the pair of them.

And what happened?—After having got the man and woman from Lamenu we went back again, and we met some people who said that the woman was not the wife of the man, and would we bring her back again. The prisoner Olver sent a boat back to the ship and brought this woman back to Lamenu Island.

What did you do?—We went ashore and I brought some tobacco and different things to a storekeeper there in exchange for things which the prisoner Vos had received on the previous day.

His Honour?—I do not understand you.

Witness.—I went ashore to pay some tobacco to a man who was on the main island.

You remember some firing took place?—Yes, when we were going to the island the Natives opened fire on us. I should explain that it was low tide and my boat got on the reef. While I was there they kept firing at the Government Agent's boat.

Did not you run up to the huts?—Yes.

What did you try to do to the huts?—I tried to burn them down.

You remember the women Berah and Longyamba?—Yes.

How came it they were on board the vessel?—They came on the vessel to go to Queensland with their husbands.

Were both the husbands on board?—Yes, when they came.

What day was that?—One day while we were at Urassi, not very long before we left.

As a matter of fact, did not the boats go to an island named Sulafau and get them?—Yes, that is so.

That was south of where the ship was lying, was it not?—Yes.

And Manoba was north?—Yes.

Where were those husbands when the ship left Urassi?—They were ashore. They had gone ashore to land their boxes.

How was it they did not come back?—That I cannot say. They promised to come back. In fact, the boy Charlie was to be paid for cooking the yams and the rice for the Natives on the voyage out, and part of this payment consisted of a case of tobacco. Before going he asked me the value of the tobacco, and I told him 2/. He said, "Well I won't take the tobacco now. I will take the money when we get to Queensland."

Do you remember Mr. Brennan asking you about this matter?—Yes.

Do you remember saying to him that one of the boys ran away, and the other did not show up at all?—Yes, I remember that.

Why did not you land these women?—We waited until the last moment, expecting men to show up. They did not show up, and we got outside the reef and drifted almost out of sight of land.

You remember the boats going into Soo Harbour?—Yes.

That was no distance from Urassi. Why did not you land them there?—That was not near Urassi. You would have to go about 15 miles, and you could not travel by the steam launch.

You landed 14 or 15 boys there?—Yes; we got in under a reef.

You did not make any attempt to land these women at Urassi?—No; it was impossible.

Did you see Lowah, Zeelotta's Chief, on the shore?—No; but I saw him on the ship afterwards, and in fact took him ashore.

George Thomas Olver stated that he was Government Agent on the "William Manson" during her late voyage to the South Seas. He corroborated the evidence given by the previous witness as to the arrival of Quisoolia on board the ship, the conversation with him, and the immediately subsequent proceedings.

The Court then adjourned until 10 o'clock on the following morning.

SUPREME COURT.

Wednesday, March 20.

IN CRIMINAL JURISDICTION.

(Before his Honour Mr Justice Harding and a Jury of twelve.)

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. L. O. Lukin (instructed by the Crown Solicitor), for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9. charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

George Thomas Olver, the Government Agent, continuing his evidence, said that recruiting was commenced on the Monday. The boats went ashore to where there was a large group of Natives. Quisoolia and two other Urassi men were in the first boat, and when it had backed in he got out, followed by the others. The depth of water at this place was from 18 inches to 2 feet. Quisoolia had some conversation with the Natives on the shore for 10 minutes or a quarter of an hour. The Natives were armed with rifles and spears, and bows and arrows. After Quisoolia had been talking to them in this way, about 20 or 30 of them came down to the recruiting boat. Shortly after that two boys got into the boat, and a little afterwards another followed. Witness had since learned that their names were Erringa, Zeelotta, and Sooquow. At the time witness's boat was seven or eight lengths away, the current having drifted it further from the shore. Quisoolia called out from the first boat something which witness did not understand. Witness asked a Urassi man whom he knew as Joe what Quisoolia had said, and he (Joe) replied that Quisoolia had called out that two boys would take the trade, but the other would wait for a while. Witness took his boat up to the recruiting boat, and saw Curry go ashore. Curry went among the Natives, scattering short sticks of tobacco among them, and they were running round him and skylarking with him. When the tobacco was done Curry returned to his boat. Erringa, Sooquow, and Zeelotta were not in any way held in their places in the boat or prevented from leaving. After Curry returned from the shore, the boats started back to the ship. While the recruiting boat was near the shore the Natives were all gathered round it, and some of them were sitting in it. Not the slightest force was used in bringing the three boys Erringa, Sooquow, and Zeelotta to the boat. They were not carried to the boat by Quisoolia and his men. Two of them went quite willingly into witness's boat, and the other showed no disinclination to do so. Neither of them was crying at the time. Witness did not see any Native receive cuts on the arm and thigh, or anywhere on the body, nor did he see any boy suffering from cuts as described by the witnesses, or with cuts which looked as if they had been recently inflicted by a tomahawk. Hall did not come off from the ship that day. Before the boys came into witness's boat two of them were paid for in trade. Zeelotta was not paid for. Witness saw the boys sign on. This was done some time in the evening in the main cabin, and was carried out in the usual way. The vessel remained about a week at Urassi, and during that time these boys were at perfect liberty to leave or remain on the ship. Witness, being a salaried officer, had no interest whatever in the number of boys recruited. Amboo-oba was a grumbling boy, and seemed discontented from the start. He complained to witness on one occasion that the captain had slapped Sowka on the face. Witness asked the captain if it was correct and made further inquiries, and found that there was no truth in the statement. The prisoner Hall was only present, so far as witness knew, on one occasion on which recruiting was carried on. This was when Louie was recruited.

Cross-examined by Mr. Power.—He saw no wounded man come on board with Erringa and Soquoow. If any wounded man had come on board he would have seen or heard of it. If any boys had been seized on the beach he must have seen or heard of it. The statement that “I saw Quisoolia’s two men grab hold of some boys who were on the beach and drag them in the direction of the recruiting boat,” was not true. Neither was the statement that “the three boys struggled to get away, and one of the two caught by the biggest of Quisoolia’s men succeeded in getting away.” If any one said “I saw Quisoolia get hold of another boy and drag him into the recruiting boat,” it was not true. If any one said that “these three boys were struggling with Quisoolia and his two men from the time they were grabbed until they were forced into the boat, and after they were forced into the boat they still continued to struggle to get away, but Quisoolia and his two men forced them down into the boat, and they remained there, but they appeared very much frightened,” it was also untrue. The prisoner Absalom was in the second boat, and he could see anything that took place when he was not rowing. If Absalom made those statements, they were untrue. If he said that “Quisoolia and his two men accompanied in one recruiting boat to the ship the three kidnapped boys,” it was untrue. If he also said, “When the biggest of Quisoolia’s two men got his boy into the boat, I saw a cut on his arm and another on his thigh. The cuts were freshly made, and they were bleeding. They were each between two and three inches long,” it was untrue.

Did Quisoolia assist in the recruiting on 21st May?—Yes, by simply going on the beach and talking to the Natives.

Is that a usual thing?—Yes.

Did he assist in the recruiting?—Simply by talking. That is all.

Were not you examined by Mr. Brenan?—We had a conversation at the dépôt.

Was it not an examination?—I did not consider it an examination.

Did not he put questions to you, and did not you answer them, and were not the answers taken down in writing by a short-handed writer?—I do not know whether they were taken down by a shorthand writer.

Did not he put questions to you, and did not you answer them?—Yes.

Augustine Dowling called in and identified as being present on the occasion.

Mr. Power.—Did not this gentleman take notes at the time?—I did not know that he was a shorthand reporter at the time.

What was he doing there at the time?—I do not know.

Do you remember Mr. Brenan putting the question to you, “Did he (Quisoolia) assist the ship in recruiting”? and you answering, “Not that I am aware of”?—I might have said so.

Did he put this question to you, “Was he not in the recruiting boats”? and did you reply, “So far as recruiting is concerned, I do not think he did assist. They might have put him ashore”?—I might have said that, but I have no recollection of having done so.

Just look at the instructions?—Yes (*looking at the instructions to Government Agents*). They are dated 20th May 1892.

These are your instructions?—Yes.

Instructions to Government Agents tendered and admitted against Olver only at present.

Were these regulations and instructions posted up in the ship?—A copy of the regulations was posted up in the hatch. These instructions were not posted up anywhere.

Had the captain a copy of these instructions to Government Agents?—I do not know.

Where was Baseo Carlo recruited?—At Urassi.

What island did Quisoolia come from?—A small island called Atte-gee-gee.

Did you get Baseo Carlo there?—I think not. I am sure I did not. He came off from the beach.

Just look at this entry in your log (*handing witness the log*), and see if it is in your handwriting?—That is my handwriting.

The entry dated 22nd May is in your handwriting?—Yes; it is in my handwriting.

Is it a correct entry?—As far as I am aware.

Entry put in and read as follows:—“Government Agent’s log. Ship ‘William Manson.’ Dated 22nd May. Boats left the ship at 7 a.m., and pulled as far as Chief Quisoolia’s Island. He accompanied us. There we got two recruits—Baseo Carlo, 10, and his wife Quimammo, 11. Returned to ship 9.30. Boats left 4 p.m., returning 5.30, but did not get any recruits.”

Do you still say that that is a correct statement?—Yes, if you will allow me to make an explanation? Atte-gee-gee is connected with the mainland at low water, and it was

only about 50 yards from the ship. Baseo Carlo and his wife were on the beach abreast of the island.

Do you remember Zeelotta coming on board with Erringa and Sooquow?—I do.

How long did Zeelotta remain on board?—Two days, I think.

You have no entry in your log of Zeelotta being on board?—Not that I am aware of.

Well, look at it?—(*Looking at entry*). No, there is no entry.

How is that?—He had not recruited.

Are you familiar with the Instructions to Government Agents?—Yes.

Are you familiar with Instruction 29, "In the table in the log designed to show the number on board each evening, against the word 'others' is intended to be placed the number of native boatmen or native people other than return Islanders and recruits, specifying each separately"?—Yes.

Then how is it that Zeelotta's name is not mentioned in your log?—Well, I anticipated that he would sign on the next day, and I did not think it was necessary.

His Honour.—Did not you think it was necessary to comply with that regulation?—No, I did not.

Is there any entry at all about Zeelotta?—There is no reference to Zeelotta at all.

Mr. Power (to witness).—Though he was on board two days?—Though he was on board two days.

Now is there any record to in any way show that Zeelotta was on board the ship at all?—I think not.

Do you remember what women came on board at Urassi?—Yes.

What were their names?—Sowka, Gualomi, Quimammo, Longyamba, Berah, Toalli, and Youngwarrah.

Were any of these women on board without their husbands?—Yes, Longyambo and Berah.

You are familiar with Regulation 32, "A woman is not to be recruited unless accompanied by her husband, nor without the consent of the Chief of the island or of the village or district from which she is brought"?—Yes.

What were these women on board for, then?—To come to Queensland.

But they did not come to Queensland?—No, because they were not accompanied by their husbands.

How long did they remain on board?—Six weeks or two months.

Without their husbands?—Without their husbands.

What were they doing on board?—Nothing.

How did you get them on board?—They came in the recruiting boats.

Were they taken by force?—They were not.

What place were they taken from?—A small island close to Atta-gee-gee.

Were not they taken by force and dragged into the boat?—No, they were not.

How did you come to return them?—We could not return them before.

Why not?—We could not get back to the island.

Now you had a steam launch?—We had a steam launch.

And you had three boats?—We had three boats.

What was to stop you returning them?—The ship was too far off the land.

When did these two women come on board?—I do not know.

Can you give no idea?—Not the slightest.

Well, look at your log. You have told me that they were on board six weeks or two months. I want you to look at your own log and tell me when they came on board?—There is nothing to show it.

You have no entry?—There is no entry.

Have you any entry to show when they left the ship?—There is no entry about them, but there are several entries in this book which were not here when I handed it in.

His Honour.—Stop a moment. There is a charge against the Government of forging the log. I have taken it down. That must be a serious thing.

Mr. Power.—What are the entries that were not there when you handed it in?—One here in pencil, "Why was 'Rovannie' not landed here"?

His Honour.—Did you, the Government Agent, make entries in the official log in pencil?

The Witness.—No, your Honour.

His Honour.—I was going to direct proceedings to be taken against some Government officer. Stick to the truth whatever you do. I have given you a caution before. You are in a very serious position. Do try to stick to the truth, or say nothing.

The Witness.—I see two entries in ink which I believe have been made by your Honour's associate. I did not understand it at the time I made the remark.

His Honour.—I cannot caution you too much. You know the place you are giving your evidence from, and see the way this has come out. It is very unwise.

Mr. Power (to witness).—Have you any book in which there is any entry about these women?—I have no book with any entry about them.

You have told me that you were familiar with Instruction 29. Now, I want to know how is it there is no entry about these two women in any document on board?—Well, for the first two days we were expecting to land these two women, and I omitted to enter about them in the first place, and did not at all.

Why did not you enter them?—That is the reason I have said.

Have you any idea of the date they came on board?—It was whilst we were at Urassi. I cannot tell the date.

What time in May was it?—Between the 19th and 26th.

Just look at your log at the date 29th May, and you will see by that the steam launch and two boats went ashore on that day?—Yes, that is correct.

Why did not you send these women ashore on that day?—Soo Harbour was some distance from Urassi.

Mr. Power tendered the whole of the log against the prisoner Olver.

His Honour.—I think it is too late for you to tender the whole of the log. Your case is finished. You cannot patch it up all through. The Crown case ends at the close of the evidence for the Crown.

Mr. Power.—Well, I tender the entry I have examined him on.

His Honour.—There must be no suspicion in the conduct of a criminal case. If after the Crown case is finished evidence is allowed to be put in it may be said or suggested that the case was made up as you went along. I will not preside in any case where anything is said, and I will not allow it to be said.

Mr. Power.—I tender that entry to show that boats were going ashore.

His Honour : He does not say they were not going ashore. You can only put it in to contradict him.

Mr. Power.—That is what I am doing.

His Honour.—It does not contradict him. It says the launch and two boats went ashore on that day. Do you want to show that they did not go ashore?

Mr. Power.—No. (To witness.) Did they return Islanders on that day?—Yes, they did.

Then why were not these women returned on that day?—We could not return them at Soo Harbour. We were off Soo Harbour at that time.

How far is Soo from Urassi?—If you went by the boat it is a long distance; but if you went across the reef at low water it would be comparatively near, perhaps five or six miles.

Was there anything to stop you returning these two women at high tide?—Yes, the distance from where the ship was to Urassi. We were then seven or eight miles off Soo, and that, with five miles to Urassi and back, was too much. In addition to that, we were on the other side of Soo Harbour, not the Urassi side, and there was a strong current against us.

You told me that they came on board between the 19th and 26th of May. Is that so?—Yes.

Now, will you look at your log and say what sort of weather you had on the 27th May?—We were becalmed.

That is off Urassi?—Yes.

And you were there the whole of the 27th?—Yes, but we were from eight to 10 or 12 miles off.

Where were you on the 28th May?—Ten miles off the island of Manoba.

How far is Manoba from Urassi?—Four or five miles, roughly speaking.

How far were you off when you sent the launch and two boats off with the return boys?—We were off Soo then four or five miles, not Urassi.

Were these two women married, so far as you know?—They were the wives of two boys, Charlie and Johnnie Manoba.

Do you remember Toalli coming on board?—Yes, I do.

When did she come on board?—I cannot tell.

Could you tell by referring to your log?—Yes.

Well, look at it?—She came on board on the 24th May.

How did you find out that Toalli was the wife of Try?—Simply from his statement. Try said she was his wife. That is the only guide we have.

How long had Try been in Queensland?—I believe he said some eight or nine years.

When did the woman Youngwarrah come on board?—She was recruited at Urassi.

How is it you made no entry of her being recruited?—Because she wished to be put down as coming from the same place as her husband.

How long was she on board before you made any entry about her?—I really cannot say without looking at my log.

Well, look at your log?—(*After referring to log*), Five or six days.

How long was Sowka on board before you made any entry about her?—About the same time.

How is it you did not make any entry about her for five or six days?—Because she was going along with her husband to Langé Langé, where she wished to be landed when her time in Queensland was up.

What was her husband's name?—Mylallo.

You remember Quimammo coming on board?—I do. She came on board in May.

Tell me whether you have any entry about Quimammo?—Yes, on 12th August.

How do you account for that?—She was not in a fit state to be married.

Then you had her on board for two months without making any entry about her?—I had. I had discretionary power by the regulations.

Where is your discretionary power derived from?—I think it is in the first part of the instructions—Instruction 4.

Will you explain where this (*reading instruction 4*)—"The position occupied by Government Agents towards the master, officers, and other servants of the owners of the ship, is one which requires the exercise of much discretion, and, while taking every precaution to see that the regulations are obeyed, they are not unnecessarily to interfere with the ship's officers in the discharge of their duties"—gives you discretion to keep women on board for two months?—I read it as such.

His Honour: There is the word discretion in it. To witness—How do you do it? We may be in the South Sea Islands some time, and want to do it. Precedent is good to the lawyer. If Mr. Lukin should ever be there he will want a precedent.

Witness.—I simply took from that that I had discretion.

His Honour.—It is only five lines of English. Can you tell us how you read it?—I read it to mean that I could use my own discretion as to what and where they were to be put down.

What could be put down?—When their names should be entered, and that I was not to interfere with the navigation of the ship. That is my only explanation, your Honour.

Mr. Power.—Now, look at the entry in your log, dated the 12th August, about Quimammo. Is that a false entry?—It is not correct.

If it is false, there can be no question about it?—The entry is not correct.

Is it false?—It is not correct.

His Honour.—Perhaps he will tell you wherein it is incorrect, as he does not seem to like the word false.

The Witness.—It is incorrect in that I have shown in my log that she came off from the shore on that day.

His Honour.—That is not true?—That is untrue, your Honour.

Mr. Power.—Then she had really been on board two months at that time?—She was on board from May up to the 13th August.

How did you come to make the false entry?—I did it to show that she was coming from Soo, so that she could be returned there with her husband when her time was up.

Why was not she in a fit state to be married?—She had a venereal disease.

His Honour: You gave two accounts. You said first that she was not in a fit state to be married, and now you say she was entered as coming from Soo, so that she would be landed with her husband. If she was not in a fit state to be married, how did she come to be married?—They take their wives on board ship.

Two months after they had come on board?—Oh, yes.

Have you got them on the ship ready to supply?—No.

I suppose a recruiting ship full of women ready to be married is rather a good one for recruits. Go on, Mr. Power. I am sorry to interfere with you, but I cannot understand these things.

Mr. Power.—Now look at your entry of 13th August. "At half-past 8 o'clock the boats were lowered and went ashore, and Quimammo was brought off." That is untrue, is it not?—It is not all untrue. The boats were lowered, but it is not correct about Quimammo being brought off.

Whose wife was Quimammo?—Rovannie's.

How long had Rovannie been in Queensland?—I cannot tell.

You have told us Quimammo was on board for about six weeks. Now, is this statement true: "At daybreak we were about eight miles off Soo Harbour. Rovannie, one of the recruits and boat's crew, asked that he might go ashore to bring his wife, and permission was given him to do so. So that at 8.30 the boats were lowered and Quimammo was brought off"?—That is not true.

Did you make any entry about Longyambo and Berah in the log?—No, I did not.

Did the captain advise you to do it?—I have no recollection of his doing so.

Re-examined by Mr. Feez.—He was not aware that there was any prosecution pending with regard to this woman Quimammo. He had not heard it even suggested that she was brought to Queensland against her will. It was not usual if they were aware of it to recruit any Islanders who were diseased in any shape or form, but if a husband wanted his wife to recruit and she was diseased, they would take her, and, if possible, separate her from her husband and recruit her when she was in a fit state.

Was this woman the wife of Rovannie?—I understood that she was his wife.

If a woman comes on board and you do not think she is curable, you would re-land her?—I would re-land her.

Suppose a man has a diseased wife on board who is not on the log at all, and his wife wants to recruit, how do you manage; if she is curable do you take her, or if she is incurable do you send her ashore?—If she is not curable we send her ashore. If we think she is curable we take her, and when cured enter her as coming from the same place as her husband.

Who was Sowka?—Sowka was the wife of a Langé-Langé boy named Mylallo. She was entered on the log when her husband recruited.

Did you attempt, as the Government Agent, as far as you could to comply with the regulations and instructions?—As far as lay in my power.

Referring to Regulation 32, was any married woman recruited unless accompanied by her husband?—No.

Why did you re-land Berah and Longyambo?—Because their husbands did not rejoin the ship as they had promised.

Arthur Absalom, able seaman on the "William Manson," said that he made a statement to Detective Shanahan, but its contents were not true. The detective came to him while he was in his cell. He was not very well at the time, but he was not unhappy as far as he recollected. The detective told him that Nash had made a statement, and that if he (Absalom) would make one he would get him out by Friday or Saturday. At first witness refused to make a statement, but at last he was induced to make one on the promise by the detective that he would get him out. On that understanding he told the detective that he would say anything he liked. Before that he had a conversation with Nash, in which the latter told him to spin the same yarn as he was going to spin, just the same as the boys had told him, as it would be another Hopeful case—a matter of 15 or 20 years—and the best thing they could do was to clear themselves.

Cross-examined by Mr. Lukin.—He had this conversation with Nash on the Wednesday after he was arrested. Nash then told him what Rovannie had stated to him about Quisoolia and two of his boys dragging two boys into the boat. This was not news to him, but it was not true. The allegation in his statement that Quisoolia got out of the boat and grabbed two boys on the beach, and dragged them in the direction of the recruiting boat, was not true. That was what Detective Shanahan told him to say. It was also untrue that Quisoolia's two men got two boys, one in each hand, and the second of Quisoolia's men only got one boy. That was also what Detective Shanahan told him to say. Detective Shanahan asked him all the questions, and nodded his head for him to answer "Yes" to them.

Then during the whole of the conversation you said nothing more than "Yes"?—Yes. As he nodded his head, I said "yes."

Do you mean to say you were a party to a statement like that, to send five of your fellow-creatures to gaol?—No.

Did you not sign it?—I signed it.

Was it not with the intention of turning Queen's evidence?—That was what Detective Shanahan told me.

Was it not with the intention of turning Queen's evidence?—It was made because Detective Shanahan told me that if I signed it, he would get me out of it. I told him I would sign anything to get out of it.

What do you mean by "getting out of it"?—Getting out of this case.

And you hoped that by simply signing a statement you would get out of it altogether?

—I did when Detective Shanahan told me I would. He told me Nash was going to say the same thing to get out of it.

And you did not wish to turn Queen's evidence up to that time?—No, I did not.

Did you not make a statement complaining that Vos only gave you a pound a month, and after working for him for three months you had only 6s. 10d. to draw from him?—I don't remember making a statement of that kind.

You made a statement to Mr. Brennan in the presence of a shorthand writer?—Yes.

Did you tell the truth to Mr. Brennan?—I did.

Do you remember Mr. Brennan asking you, "When you got to the shore, do you remember Quisoolia getting out of the boat and going on shore," and you said "Yes"?—I did.

After you got out on bail did not anyone make you a present of money?—No, no one at all.

Did not anyone make you a payment at all?—No, only on account of wages.

How much?—I was getting so much a week.

From whom?—From the captain of the vessel.

How much a week?—Sometimes 15s. a week.

His Honour.—What were you paid on account of wages when you got out on bail?—My usual wages. The wages I was getting before on the voyage.

Mr. Lukin.—How much did you get?—A pound a month.

His Honour?—How much did you get in a lump sum?

The witness.—Ten bob a week.

His Honour.—I shall punish you if there is any prevarication. I asked you how much did you receive in a lump sum on account of wages?

The witness.—I did not get any after I was out on bail.

His Honour.—You must recollect that you are in the nature of a witness, and the Court is bound to make you answer questions.

Mr. Lukin (to witness).—You said something about 10 bob a week. What did you mean?—I got that for working about the vessel.

When?—I could not tell you.

Did you get it while you were out on bail?—That I cannot say.

You cannot say if you got any wages while you were out on bail?—I cannot say.

I want you to tell me when you last got 10s. a week as wages?—Before I was arrested.

When the vessel came in were you discharged and paid off?—I was.

And were you re-engaged again?—I was.

You only got 5s. a week on your re-engagement?—Yes.

Who paid you your wages on your re-engagement?—The captain, before my arrest.

You said something about 10s. or 15s.; what did you mean?—I had borrowed some money from Captain Vos.

Can you say whether you had borrowed 1l. 5l. 7l. or 10l.?—I cannot say.

Fifteen or 20 pounds?—I cannot say; I cannot recollect.

Do you think you borrowed more than 1l.?—I don't think I did borrow 1l.

What did you mean by saying that you did not recollect whether you borrowed 20l.? may you have borrowed 20l.?—I don't think I did.

Re-examined by Mr. Feez.—He had a conversation with Detective Shanahan on the verandah of the Roma Street Police Station before making his statement. Shanahan then told him what Nash had said in his statement. Inspector Lloyd was present when witness made his statement to Shanahan.

The money you borrowed from Vos was borrowed on account of wages, was it not?—Yes.

What was the most you ever got at one time on account of wages?—15s. or 1l.

Alfred Dowsett, ordinary seaman on the "William Manson," gave corroborative evidence with regard to the recruiting of boys alleged to have been kidnapped. He denied that any force was used to make the boys recruit, or that any boy was wounded on this occasion. He said, however, that he saw one of Quisoolia's boys with a scratch on his thigh, which appeared to have been caused by a nail or a splinter. The cut was not from a tomahawk.

The Court at this stage adjourned until 10 o'clock on the following morning.

SUPREME COURT.

Thursday, March 21.

IN CRIMINAL JURISDICTION.

(Before his Honour Mr. Justice Harding and a Jury of twelve).

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. L. O. Lukin (instructed by the Crown Solicitor) for the prosecution; Mr. Feez (instructed by Messrs. O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Thomas Curry, the recruiter; Alfred Cuthbert Hall, chief mate: Arthur Absalom and Alfred Dowsett, seamen, of the "William Manson," upon an information laid under 35 & 36 Vict. c. 19. s. 9., charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Alfred Dowsett, under cross-examination by Mr. Virgil Power, said that when the flag was hoisted on the recruiters' boat no other boat came off from the ship. Witness was paid 2*l.* 10*s.* a month wages. The prisoner Absalom was getting 1*l.* a month.

Alfred Cuthbert Hall, first officer of the "William Manson," corroborated the evidence given by the previous witness as to the arrival of the Chief Quisoolia on board the ship, the conversation he had with Captain Vos, and the despatch of the boats to the shore to get recruits. Witness himself did not go recruiting on this occasion, nor did he leave the ship. There were five boats on the ship and a steam launch. On the Monday the captain's boat was being scrubbed before being painted. While the boats were away recruiting, witness had his attention directed to the flag hoisted ashore. After that witness saw Erringa, Sooquow, and Zeelotta come on the ship. They were a bit shy, and did not seem to know which end of the ship to go to, but they showed no disinclination to come on board, and were not crying or frightened. Witness subsequently saw Erringa and Sooquow sign on in the main cabin, and heard the agreement explained to them. Neither of them showed any disinclination to sign. Witness at no time saw anything to lead him to believe that those boys recruited against their will. Witness had nothing at all to do with recruiting. On one occasion, however, he went in the Government Agent's boat to have a look at the islands. One recruit was got on that day named Louie. Witness had occasion during the voyage to complain about Amboo-oba coming out of the married women's quarters in the early morning. He saw him several times, and reported the matter to the captain. Amboo-oba at that time had not a wife on board. The captain had a row with Amboo-oba because he caught him leaving the married women's quarters. Amboo-oba cheeked him, and told him that he did not want him to go down there, because he (the captain) wanted to go there himself. The captain told him he would put him in irons if he ever caught him there again, and told witness to keep a strict watch on him. Amboo-oba had no right to go down to the married women's quarters. When Erringa, Sooquow, and Zeelotta came on board, no one also came on board suffering from tomahawk wounds. It was usual to dress the wounds of any Natives who came on board to have them attended to. Witness himself dressed a wound on one of Quisoolia's men, who said he had met with it by falling on the coral. He believed that this was one of the boys that went away and returned in the recruiting boats at Urassi. The wound was a ragged one on the left thigh. Witness first heard complaints about the way in which recruiting had been carried on from Mr. Brennan when they arrived in Brisbane. After that, the witness Nash told him that Amboo-oba had been telling the other boys to say that boys were dragged on board the boats at Urassi.

Cross-examined by Mr. Lukin.—When Quisoolia came on board, the ship was eight or nine miles off from the beach. Frequently as they went along, the Chiefs of the different islands came off to the ship. Quisoolia did not come on the ship on the Sunday after they got to Urassi. Witness remembered Mr. Brennan having a conversation with him, but he did not remember Mr. Brennan examining him. He did not remember Mr. Dowling, the shorthand writer, being present at the interview. He might say that he would not attempt to refresh his memory by reading Mr. Dowling's notes, because that gentleman, at the police court, tried to make out that he was a perfect idiot, and could not speak common English. Very likely he said in answer to Mr. Brennan's question—"You say you do not remember those two boys Erringa and Sooquow when " they came on the ship at all?—" No, I cannot say whether they came on board first " or last. I know they are Malayta men, that is all." His memory had been greatly refreshed since that.

That examination was held not more than five months after the incident took place was it not?—Yes.

And now you remember more after the lapse of 10 months?—I do, after hearing the particulars in the police court.

Do you remember Mr. Brenan asking a question of you: "It has been stated that when the two boys Erringa and Sooquow were recruited, a third boy recruited also, brought off to the ship; do you know anything about that" and you replying "No"?—I do not remember that.

Do you remember him asking you "Do you know anything of the boy who was returned afterwards to the shore" and you answering "No, I do not remember"?—No, I do not.

Do you know how much was paid to the ship for each boy recruited?—No, I do not.

Is there anything on the records of the ship that any complaint was made about Amboo-oba being in the married women's quarters?—No, there is not.

Is there anything to show that he was caught there?—Not in my log at any rate. It was not my duty to record it.

You can see from the single men's quarters into the married women's quarters?—Yes.

You remember the trouble at Ambrym over a boy that was recruited?—Yes.

That recruit came to Queensland?—Yes.

You say you have never heard of any complaints being made on the ship. Did you not hear of a complaint being sent off the ship to some other ship?—No, I did not.

The prisoner Absalom's statement that he saw one of Quisoolia's men with a cut on his arm and another on his leg is false?—Yes, it is.

When the recruiting was being carried on could you see the boats from the ship?—I could just see them.

Did you see any struggling going on on the beach?—I did not.

Do you remember Quimammo coming on board at Urassi?—I do not.

You heard the other witness describe that she was on board for two months before the 13th August; don't you know whether she was on board at all?—Yes, I suppose I do.

James Allan Duncan, clerk to Messrs. O'Shea and O'Shea, stated that in November last he attended at the detective office for the purpose of submitting the names of proposed sureties for the release of the prisoner Absalom on bail. He saw Detective Shanahan there, and had a conversation with him on the subject. He asked the detective if he approved of the names which he showed him as sureties for Absalom's bail. Shanahan said "Yes," but that he had seen Absalom on the previous day, and Absalom had said he did not want bail as he would stop in till Monday. Witness asked if he could say that he (Shanahan) approved of the names, and he replied "Yes." Witness then returned to O'Shea and O'Shea's office, and subsequently went to the watch-house. The time taken up in going to both places was at the outside 10 minutes, but when he got to the police court, Shanahan was there, and had arrived before him. Shanahan was speaking to the watch-house keeper. Witness went to the cells to Absalom, and the latter was afterwards released on bail.

Cross-examined by Mr. Power.—Shanahan said to witness at the detective office, "I don't think Absalom wants bail."

Timothy Joseph O'Shea, a member of the firm of O'Shea and O'Shea, stated that he knew the witness Narwell Johnson. He came to witness's office on 23rd November with a man named Alec Oden, and witness had a conversation with them with regard to this case. This was a few days after the prisoners had been arrested. Witness examined the two men as to the circumstances surrounding the last voyage of the "William Manson" on this occasion, and on a subsequent occasion, when Mr. Winter was also present part of the time. On the first occasion, witness asked Narwell Johnson if he knew the three boys that were said to have been kidnapped. He said he did. Witness then asked if he remembered when they came on the ship. He said he did. Witness asked him to tell him all about how they came to the ship. He described in his own way how the boats went to the beach. Witness asked if he saw any one catch hold of these boys, and he replied "No; nobody pulled them." Witness pressed him very severely to see if there was anything which could be construed into kidnapping, and he said, "No, the boys came themselves." Witness also talked to Alec Oden about the same thing. On the second occasion, witness asked Narwell Johnson if anybody had forced these boys to come down to the beach. He said "No, they came themselves." Witness asked him if Quisoolia did anything to make them come, whether the boys were

crying when they came to the boat or the ship, and whether he saw any person cut a black boy with a tomahawk, and he replied "No." This was the pith of the interview. The boys, however, remained a little while in the office. While they were there the prisoners Curry, Vos, and Olver came in. Subsequently witness had Johnson in attendance at the police court every day, intending to call him as a witness, if he called any at all there. Johnson never altered the statements he had made to witness until he did so at the present trial.

Cross-examined by Mr. Lukin.—This man Alec Oden, he thought, was also called Alec Marie. Narwell Johnson on no occasion mentioned anything to witness about two wounds which had been inflicted by a tomahawk. One of the boys, however, said something about a scratch which had been done by falling on the coral. Witness had no notes of the statements made by Johnson.

This closed the case for the prisoners.

Evidence in reply was called as follows :—

Inspector Lloyd said that he was present when the prisoner Absalom made a statement at the Roma Street Police Station. This was on the 20th, 21st, and 22nd November last. Before Absalom made the statement, witness saw him at the lock-up in Elizabeth Street. There were also present Detective Shanahan and Senior-constable Heley. Shanahan said to the prisoner, "Absalom, you sent for me?" Absalom replied "Yes." Shanahan said "Do you want to make a statement?" and he answered "Yes." Witness, Shanahan, and Absalom then went to the Roma Street Police Station, and, entering an office there, the three of them sat down to a table. Absalom gave his name and occupation, and then made a statement. He had not a conversation with Shanahan on the veranda so far as witness knew. Witness was only absent from the office, into which the three of them had gone on arriving at the Roma Street Station, about a minute, when he crossed over to another room to get some paper. Absalom could not have had a conversation with Shanahan on the veranda in that time. There was no conversation on the veranda. While Absalom made his statement Shanahan did not suggest anything to him. The statement was not obtained by Shanahan suggesting anything to him. Witness saw the statement signed, and took possession of it.

Cross-examined by Mr. Feez.—He went with Shanahan and Absalom in a cab to the Roma Street Police Station.

Just describe how this statement was made?—Shanahan asked Absalom his name and his occupation, and Absalom then went on.

Was it a case of Shanahan asking questions and Absalom making a statement?—Absalom made a statement, and Shanahan may have asked a question, such as what date did you leave, and so on.

Nash had previously made a statement?—Yes.

And you had that statement in your possession?—Yes.

That statement was also made to Shanahan?—Yes.

And that statement was at Roma Street on the day Absalom was there?—No. It was in my safe at my office in George Street.

Did not Shanahan put questions like this: "Did not Quisoolia, when the first boat touched the shore, get out and go to speak to some Natives on the beach"?—No. He did not.

Just tell us how it was then?—I say that the man made a statement. I know there were no leading questions put.

Did Shanahan and Absalom have a conversation on the veranda, or were they on the veranda at all?—They may have been; but I did not see them there.

Whilst you went for the paper, was there time for them to go on the veranda?—Yes, the veranda was immediately next to the room, and they may have gone out and had a word or two, but I did not see them.

Did you ever ride in a cab in your life with Absalom?—Yes, I did.

Are you not mistaking Nash for Absalom?—No, I am not.

If Absalom says he was never in his life in a cab with you he is telling a falsehood, is he?—He is.

Where did you get the cab?—Shanahan got the cab.

Who paid for the cab?—The Government.

Who was the cabman?—I cannot say.

What sort of a cab was it?—A four-wheeler—a waggonette.

From the first did Shanahan commence by asking questions in the way you have described, and did he ask "Have you been to sea before"?—He may have.

Did he say "What is the "William Manson"?—It is likely he did, but I don't recollect, Mr. Feez.

How was the statement, "It took 15 days to get to the island" got out? Was it by asking how long did it take you to get to the island?—It may have been.

Did he from the first ask him questions, or did he simply say, "Tell us what took place"?—That is just about it. He asked him to tell us his story.

Is it not so long ago that you have forgotten the exact details?—The exact details I may have.

If Shanahan says that he did have a conversation with Absalom on the veranda, is it true?—He may have had. I was not there. But I say there was not time for a conversation.

If Shanahan says that he had a conversation that day on the veranda with Absalom, is it true, or is it not?—There was not time for a conversation.

You were the inspector in charge of this case?—Shanahan was in charge of the case.

If Shanahan says that you were in charge of the case, is that a fact?—I say that Shanahan was in charge of the case.

Did not you give instructions as to what was to be done with the defendants?—I may have, but then he is in charge of the case.

Did you ever give any instructions in connection with the case at all?—I expect I did for their arrest, but I really do not recollect anything else.

You do not remember anything else?—I really do not remember. I don't know what you want, Mr. Feez.

I want to find what your recollection is like. Did you give any instructions?—No; I do not think I did. I do not know what you are referring to.

Very well, I will refresh your memory, and see whether you did. Did you give instructions to have all the defendants separated as far as possible?—I did.

You remember it now?—Yes, and if you had put the question before, I should have remembered it then.

And now, who is in charge of the case?—Shanahan. He was the man who got up the evidence and he was in charge of the case.

Why did you give instructions to have the prisoners separated as far as possible?—It is customary.

Absalom and Nash were kept in the cells at the police court?—Yes, and the others were bailed out, I believe.

Oh, no; before they were bailed. Where were the others kept before they were bailed out?—I don't think they were in gaol.

Try and remember. Were not all the others except Absalom and Nash taken off to the ordinary gaol at Boggo Road?—They may have been. I thought they were bailed out.

Can you explain why Absalom and Nash were left in the cells at the police court and the others taken to the gaol?—Absalom was left there at his own request to be bailed out, and Nash too.

How do you know this?—I heard it from the lock-up keeper, Heley, or somebody else.

Would not they have treated all the prisoners alike unless instructions were given to separate some of them?—Yes. But I recollect Absalom requesting at one time to be kept there because he would get bail.

I am speaking of the time that the other prisoners were not on bail?—I don't remember whether the other three went to Boggo Road Gaol. I would not know it.

What state was Absalom in when you saw him at the police court?—He was crying.

Did he seem very depressed?—He did.

Do you remember Shanahan asking him in what way he would make the statement?—Not in those words.

Do you remember Shanahan saying, "Will you make the statement in writing"?—No, I don't remember that.

Re-examined by Mr. Power.—Shanahan did not suggest any answer to Absalom when he was making this statement.

Did he put questions in such a way as to suggest the answers?—No.

Did you say anything in Absalom's presence before the statement was taken down?—Yes. I told Shanahan to take his simple statement, and to suggest nothing to him.

As far as you know, did he carry out your instructions?—He did. I was there to see it done.

Augustine Dowling, Government shorthand writer, deposed to having attended and taken shorthand notes of an inquiry held by Mr. Brennan on the 30th October. The

prisoners Vos, Curry, and Olver, he said, were examined, and he gave evidence to the effect that questions were put to and answered by them, which in their evidence they had either denied or stated that they had no recollection of. He read out the answers and questions from his notes taken at the time.

Cross-examined by Mr. Feez.—A good deal of what took place was in the nature of conversation, and sometimes two people would be talking at the same time. He did not take down everything that was said, but everything that was relevant. He did not admit that he made any mistakes in reporting the inquiry.

This closed the evidence.

The Court then adjourned until 10 o'clock on the following morning.

“WILLIAM MANSON” CASES.

ALLEGED KIDNAPPING.

Conclusion of the Trial.—His Honour's Summing up.—The Jury consider their Verdict.

In the Supreme Court yesterday, before his Honour Mr. Justice Harding and a jury of twelve.

The Attorney-General (Hon. T. J. Byrnes), with him Mr. Virgil Power and Mr. L. O. Lukin (instructed by the Crown Solicitor), for the prosecution; Mr. Feez (instructed by Messrs O'Shea and O'Shea and Messrs. Winter and M'Nab) for the prisoners.

The trial of Joseph Vos, the captain; George Thomas Olver, the Government Agent; Michael Joseph Curry, the recruiter; Alfred Cuthbert Hall, chief mate; Arthur Absalom and Alfred Dowsett, seamen, of the “William Manson,” upon an information laid under 35 & 36 Vict. c. 19., s. 9., charging them with the offence of kidnapping while engaged in the Pacific Island labour traffic, was resumed.

Counsel's Addresses.

Mr. Feez rose to address the jury on behalf of the prisoners. He said the prisoners were charged, under an Imperial statute, with kidnapping certain boys, those boys being Erringa, Sooquow, and Zeelotta. That was the charge. They had nothing to do with the case of Longyamba, Berah, Zoungwarrah, Sowka, and Quimammo. These matters had been brought into this case by the Crown for some reasons of their own. These matters had been brought here with a lot of other things, such as slight breaches of the regulations, an attempt to show that the prisoner Olver was guilty of a breach of certain instructions that were issued to Government Agents. These matters had really nothing to do with the case. This charge was of kidnapping these three boys, and that was what they had to try. If there were other charges the prisoners were prepared to meet them at the proper time. He (Mr. Feez) thought that the introduction of these matters showed that a great deal of mud had been thrown in this case in the hope that some of it would stick. It was a very extraordinary thing that throughout this case, from the beginning to the end, even if the prisoners had called no evidence, if they had not gone into the box and given evidence, there was no substantial evidence on which the jury could be enabled to convict these men. What was the evidence called for the Crown? From the first witness called for the Crown to the last every one was so unreliable that they could not put the slightest confidence in it. He would show that some of their statements must be downright falsehoods, concocted for the purpose of convicting these men. And what was the evidence as a whole? The prisoner Absalom stood in a slightly different position from the other prisoners, because Absalom's statement was evidence against himself and only as against himself. As against the other prisoners, the Crown had the testimony of whom? Six black-boys, six South Sea Islanders, and the evidence of Nash. That was the evidence on which they were asked to convict these prisoners of this serious crime. He submitted that the evidence of these black-boys was evidence which they could not test properly. The very difficulty they had in getting them to answer even ordinary questions; the fact that the attempt to cross-examine these witnesses was futile; everything that could be done by the learned Judge who was trying this case, and by himself to extract the truth from these witnesses all showed—all these things showed that it was absolutely impossible to find out how far these men were telling the truth or not. Two of them had to give their evidence through two interpreters, first through Whavella into pigeon English, and then brought to the Court by Mr. Caulfeild. How was it possible to say what evidence given in that way really was? They knew that for a

long time before this case came into court these black-fellows were living together ; they knew that they were like monkeys in their capacity for imitation ; they knew that they were capable of deceit ; and they knew that they were capable of learning a tale. Did not every one of them tell a story learned off like parrots ? And what was their evidence ? Had not every one of them except Narwell Johnson gone into the box and practically repeated every word that the others had said ? Had not they had dress rehearsals of it while they were living together ? Narwell Johnson was not called as a witness for the Crown in the police court. He had not had an opportunity of learning his lesson like the others, and his testimony in many ways entirely disagreed with theirs. The evidence these boys had given had been simply a parrot's statement learned by heart, and besides that they had the evidence of Nash. Well, Nash was arrested on this charge, and had turned Queen's evidence. He supposed there was no more despicable kind of evidence than that of Queen's evidence—a man who to save himself would go back on his comrades and give evidence against them. He said that if there was not a word of evidence on the other side they could not believe his. They must say that on that evidence they were not satisfied that this crime was committed. After the evidence which they had heard from the prisoners, and had seen the way in which they had given their evidence, now, though they had the opportunity of making up one story, from beginning to end there were slight discrepancies in their evidence ; they could not have any doubt that it was not committed. Now he would say a few words about this statement of Absalom. He and Dowsett were two ordinary seamen on board the boat, simply, no doubt, for pulling ashore to enable these boys to be taken on. They were there in their ordinary capacity. They had no opportunity of commanding, and all they did was to stand by, and if this crime was committed they stood by and saw it committed. It would be said that they should have opened their mouths, but was it likely that men present under these circumstances would be likely to do that ? Their livelihood and their position on the ship would depend upon it, and these men were in a very different position from the others even if the crime was committed. And here there had been a most extraordinary procedure gone through to make Absalom make a statement. Could they have any doubt, no matter what Detective Shanahan said, that that statement was extracted from him under unfair circumstances, and that it was got from him without his really knowing what he was doing, and under fear that this was going to be another Hopeful case, with sentences from 15 years to 20 years ? He (Mr. Feez) submitted that there was not the slightest doubt of it. And Nash's statement was the same. Why were these two men separated from the others, and not sent to the Boggo Road Gaol, except it was for the purpose of enabling the Crown to have something more than the evidence of black-fellows to convict the prisoners upon ? This was one of the extraordinary circumstances that wanted a good deal more explanation than had been given. The fact of the matter was that these men were kept in their cells, miserable and alone, in a miserable position, for the sole purpose of getting them to give evidence. That purpose had been partially successful. The Crown had been enabled to call the witness Nash, and as far as Absalom was concerned they had his own statement against him. What Nash's evidence and Absalom's statement were worth was for the jury to say. They would see that the evidence of Nash was simply a repetition of what he had heard from the niggers, and of what the niggers had said to him. With regard to the evidence for the Crown, they had first the evidence of Mr. Brennan. There was really very little in it except that it went to show that there was an over anxiety to obtain the conviction of these men. The clue to this was difficult to understand. Could it be the clue given by the Attorney-General in his opening, when he told them that there had not been a prosecution of this kind for a long time ? It might be. This trade was one which did not please a great many of the community. It was a trade which no doubt they knew did not please the Imperial authorities, and it might be that these men were simply brought up here as an example in order to show that the Queensland authorities were attempting to keep this trade in order. This was the first charge of this sort that had been laid for years, and he submitted that this was a charge which should never have been brought against these men. It was a pity if the Queensland Government intended to prosecute any men they did not get something more substantial than the wretched testimony that had been given in this case. There was only one word to describe Nash's evidence, that was the word despicable. On his own showing he was a liar. He twice before made a written statement that there was not a word of truth in these statements, and that no force, no over-persuasion, no kidnapping had taken place. On his own showing he was not worthy of credence. First of all, as to the way in which he first gave his statement. He told them that he was sick and vomiting, he was bad, and anxious no doubt to get out of trouble, and under these circumstances he was approached in order to get him as a witness for

the Crown. After all he was a poor, weak sort of individual, and was it to be wondered that he fell? And he did fall. What had been the conduct of the Crown with regard to him since? From the time he gave his evidence in the police court he had been kept isolated and not allowed to see anyone. He had been treated like an ordinary prisoner; he had been treated like a leper; kept away from everyone. What was that done for? No doubt for fear that he would eventually come to his right mind and determine to tell the truth even at the last moment. As to Absalom's statement, Shanahan had said that he made it absolutely of his own free will. Absalom's story was that he was in a state of desperation, and he would do anything to get out of it. It was absolutely incredible that his statement was taken in the way described by Shanahan. It must have been taken in the way described by Absalom. Now he would come to the evidence of these black-fellows. The first was the gentleman called Narwell Johnson. His evidence on the face of it was incredible. He admitted that he told Mr. O'Shea that there was no kidnapping at all. Mr. O'Shea said that he told him that twice. And then he went into the box and told the remarkable story which they had listened to. How could they believe a man, particularly a man of his stamp—certainly not an educated man, a man who was not a Christian, a man who did not know anything of the penalties that he would suffer for lying, at all events in the future world—when they found that he had two directly opposite stories? He differed from the other black-fellows. He was not with them until a few days before the trial commenced. He therefore had no opportunity of learning the same parrot story as the others, and had no opportunity of talking it over. He had no opportunity of comparing every little detail with them. He knew the story in the main, but not how the details were to be worked out. He said that Quisoolia—and this was a statement which if he were even trying to tell the truth he would not have made—actually talked to the niggers on the shore in English, and when they appeared to be likely to fire on the boats shouted out something, also in English, like "Don't shoot 'em boats." Then he wanted them to believe that, among all who were present when these scenes were said to have been enacted, he, Narwell Johnson, was the one man who expostulated, and was told to "shut up." Both statements and all his evidence were absolutely incredible. Then they came to one of the most interesting witnesses in the case—a gentleman named Try. Well, of all the scoundrels that ever gave evidence in a court of justice, that gentleman was one of the worst. His countenance, and the manner in which he had given his own evidence, showed that he was a liar. This was a man who, having had a row with the captain, said that he had been told that he could not land, that he had heard the captain offer Quisoolia a boat and box not to let these boys land—this was the man of all others who he would have them believe was the go-between of Quisoolia and the captain in order to make this kidnapping arrangement. This man, who was one moment missionary and another kidnapper, was the worst of the whole lot. He was the man who, according to his story, actually arranged the terms on which the boys were to be kidnapped. This was one of the men the jury were asked to rely upon. Why should he have been wanted as interpreter when they had it in evidence that Quisoolia could speak better English than he could? The fact of the matter was that he was annoyed at not being allowed to land, and his evidence was the outcome of spite against the captain and the other prisoners. Then there was his statement about going into the captain's cabin and sitting down in a happy-go-lucky way, and having his cigar with the captain and Quisoolia. He would leave to the jury to say whether they could believe that such a thing happened. Try was really animated with bitter spite against all the prisoners. His accusation was founded in spite, and carried on in untruth. Rovannie was one of the boys it was very difficult to get anything out of, and it was utterly impossible to test his evidence. He described the same scenes in the same way, and was evidently repeating the story that he had learned at the depôt. His statement that Quisoolia said to Mr. Olver, "Don't be cross with me, Mr. Olver; Captain Vos told me," was simply introduced, like many other things in the case, to give a semblance of truth to his story. The statement was unfounded, and not borne out in the slightest degree by a single person who was on the scene at the time. The allegation that one of Quisoolia's men, Cowah, was wounded by a tomahawk was another of the many details which went to show how untruthful the whole thing was. It was an absolute falsehood. Cowah was never cut, and the statement that he was was only brought in to make the kidnapping appear more desperate than it was before. He (Mr. Feez) said that the whole story was incredible. The extraordinary thing was, if the Natives Erringa and Soquoow had been kidnapped in the way alleged, that they never made the slightest complaint until they got to Brisbane. It was Amboo-oba who made the first complaint and started the whole thing. Amboo-oba, this leery, crafty, subtle sort of man, was evidently a

man whom they would hesitate to believe under any circumstances; but when they saw the motive he had they could not believe him at all. This man, if they believed Hall and Vos, was a missionary fornicator. They had a missionary kidnapper in Try, and they had this boy, who was afraid of honest work on a plantation, but wanted to work for Jesus—work that required no hard labour. This gentleman, who was caught visiting the married women's quarters in the evening, was threatened by Hall to be reported if ever found there again, and told by the captain afterwards that he would be put in irons if ever caught there again. This boy was the originator of the whole transaction. This missionary kidnapper and this missionary fornicator were at the bottom of the whole thing, and those were the men upon whose evidence they were asked to convict the prisoners. Against this they had four unprejudiced men, who had no interest in this matter, and they said that these boys came of their own free will, and that was substantiated in the most minute manner by the prisoners. Were they, on the statement of those black-boys, going to say that these men were guilty? He (Mr. Feez) said they could do nothing of the kind. They were asked to believe that these men were kidnapped by Quisoolia when there was present an armed force of Natives of a tribe which had been practically at war with Quisoolia's men. There were 150 of those Natives on the shore, all of them armed with rifles and other weapons, while there were only a few of the salt-water men who, as far as they could find out, were unarmed. Yet they had it that Quisoolia and his salt-water men took away Erringa and Sooquow, while Soobah, the father of the former and the Chief of the bushmen, stood by and saw them carried off without raising a hand until afterwards. Could they believe such a story? He (Mr. Feez) submitted that it was absolutely incredible. He submitted that on the whole of the facts they must come to the conclusion that the prisoners in no way forced any one of these boys to the boats, that they never in any way took them against their will, that these boys from the first were willing recruits, that the story was only a spiteful concoction by these boys, Amboo-oba and Try. Vos stood in a different position to the other prisoners. He was not present at the recruiting, and, unless the jury believed the extraordinary statement by Try, that he made the arrangement with Quisoolia to steal these boys, there was not a tittle of evidence that he knew anything of the manner in which these boys were recruited at all. There was nothing to show him (Vos) that these boys were not got in the fair manner that they were actually obtained. There was nothing to show that Hall knew anything about it, and Absalom and Dowsett were simply standing by, having nothing to do with the matter. On the whole case he (Mr. Feez) submitted that they would have no difficulty in coming to the conclusion that these men were entirely innocent of the charge laid against them, and he confidently anticipated that they would find a verdict of not guilty.

Mr. Power said that the facts of the case lay in a nutshell, and the issue which the jury had to decide appeared to him a very simple one indeed. It was simply this—whether these three boys, Zeelotta, Sooquow, and Erringa were taken without their consent on board that ship on the 21st May 1894. A great deal had been said about black witnesses; but the jury had to decide, no matter what the witnesses were—whether they were white or black—whether from the way the witnesses had given their evidence and from the probability of their story they were telling the truth or not. They would have to remember this, too—that, though some of the witnesses were coloured, and were unable to speak English, was it at all likely that untutored savages such as these would be could concoct a story and stand the test of cross-examination? They would probably consider that in determining whether these witnesses were telling the truth or not. They would also consider this—that before those men gave their evidence the greatest care was taken by the learned Judge who presided to make them understand the punishment they would be subject to if they stated what was false. And in dealing with the evidence given by the prisoners in the dock they would consider in all probability that they (the prisoners) had the strongest motives for giving such evidence as would enable them to regain their liberty. Now, what motive on earth had these black-boys in concocting this story? Had any really serious motive been suggested? Why should they do it? Even assuming that Try was all that his learned friend had painted him, what motive had the other witnesses? What motive could Inspector Lloyd and Detective Shanahan have in instituting a serious prosecution like this against six innocent men? They (the jury), he submitted, were not likely to dispense with the evidence for the Crown because some of the Crown witnesses were coloured men. He would show them that the story told by these black-boys was corroborated by Nash and by the prisoner Absalom. They could have no stronger evidence against a man, assuming that he was sane, than his own statement. If they believed that Absalom's statement was made deliberately they could not, so far as he was concerned, have stronger evidence against him. They would find that statement

bore out the story told by the two boys Erringa and Sooquow. The regulations provided that the Government Agent should each day make an entry in his log showing the number of recruits on board the ship, &c. They found on referring to that book an entry that Sooquow and Erringa were recruited, but no mention was made of Zeelotta, who was recruited on the same day. Did not that bear out the story of those boys? They would find that Zeelotta was on board two days. How was it that he was not mentioned in the log? He came on board at the same time as the other two boys. How was it there was no entry about him? Then, again, his friend had said, in his opening speech, "You would imagine that this was a marauding tour." Well, what else was it? They found a woman taken on board on the 21st or 22nd of May, kept on board, and no entry made at all of her coming on board until the 13th August following, she being there without her husband; and she was then entered as coming from Langé Langé, whereas she came from Urassi. There was, it appeared, a false entry made on the 13th August. As to the statement that the Natives made no complaint on board, what was the use of their complaining? All on board saw them grabbed, and who, therefore, were they to complain to? Mr. Feez asked if Peter (Amboo-oba) made any complaint on board ship; and they had this in evidence, as showing that this story was not concocted in Brisbane, that he sent letters by the "Roderick Dhu" and "Sybil" to Queensland. Both those vessels arrived at Brisbane before the "William Manson," and no doubt that accounted for the investigation held by Mr. Brennan. Now, as to Absalom. He was in the cell. It was a perfect matter of indifference to the Crown whether some of the men were in the cells or at Boggo Road Gaol. They had to try and get at the truth of this story. There was no dispute that Absalom sent to Detective Shanahan, and his own evidence was that, far from being depressed and crying there, he was "pretty happy." They would remember that Inspector Lloyd told Shanahan not to suggest anything to him, but to let him tell his own story. That story he told, and he signed his statement; but before he did so he was asked to see if it was correct, and to alter anything that was wrong. He then signed every page of the statement. It was then said that the coloured witnesses for the Crown had been kept together since the proceedings were taken. The prisoners had also been together. It was absolutely necessary, when the Government found that two boys were said to have been kidnapped, to look after them. The Government of Queensland could not turn them loose in the streets. It was for the jury to say whether they had the brains to concoct a story to stand cross-examination. His friend had made out that they were perfectly consenting parties, and that they actually signed-on on the same day that they came on board. The jury would know what value to attach to that. Neither of the two boys could speak English. What on earth were these defenceless boys to do on that ship? What could they do? The jury need not consider that question if they believed they were wrongly taken—if they were taken by force from the shore. No matter what happened before or after, it had nothing to do with the case. That would be kidnapping. There could be no doubt that Erringa and Sooquow were kidnapped: If Zeelotta was properly recruited why did not he come to Queensland? Why did not he sign on? The story told by the boys and Absalom was corroborated by Nash. There had not been any suggestion why Nash should turn against his captain and his mates. Then as to Narwell Johnson, his evidence was not known to the Crown until the prisoners were committed. Johnson said he told Mr. O'Shea another story, but he said Captain Vos told him to say that. How did that black-fellow go to Mr. O'Shea's office? Could they have any doubt that he was sent by somebody? He said he was sent by Vos. Why should he wander into Mr. O'Shea's office and tell him a story? He (Mr. Power) did not think it was necessary for him to go right over the evidence, more particularly as he had observed that a good many of the jury had taken notes of it. He was perfectly certain that they would give the case their very best attention, and, no matter how painful it might be, if they came to the conclusion that the story told by the Crown was a true story, they would find each and everyone of the prisoners guilty of this offence.

The Judge's Summing up.

His Honour, in summing up, said the prisoners were charged with an offence which amounted to a felony. The duty of the jury was to ascertain, on the evidence, whether the prisoners were all, or either of them, guilty of the crime with which they had been charged. They had harkened to the evidence, and they were now about to answer the question. Were the prisoners guilty or not guilty? They would answer that question according to the evidence that they had heard since they entered the Court. The

evidence which they would consider was only the evidence that had been allowed to go to them under his supervision, and they would weigh that evidence by the rules of law which he would give them, and they would apply that evidence to the crime charged according to the definition of the crime that he would give them. There was no doubt that every question in which black labour was involved in this country was more or less one which stirred the breasts of a number of Queenslanders, some one way and some another. If any of them had any feelings on that matter they must not allow it either for or against to influence them. They were there to do justice to the men in the dock, not to pander to any class of men that they might think greater than themselves outside or otherwise, nor swerve from the straight path of doing justice and nothing but justice. They had in a remarkable manner paid attention to this case. He (his Honour) thought from his experience, which had been somewhat large, he had seen few juries that had given so close an attention to the case. Now they had to decide this case, as he had told them, according to the presumptions which he would give them in law. Now the great presumption of our law, which was the foundation of our liberty, was that our country considered every man to be innocent, and that presumption continued until they had given their verdict, until they had heard sufficient evidence which they believed to induce them to believe that they were guilty. That presumption ran right through until they were proved by legal evidence to be guilty. And our law was so careful of the liberty of the subject that the evidence must be beyond a doubt. If when they had heard the evidence and a doubt remained in their minds—such a doubt as would influence them in their daily conduct, which would prevent them from doing some act of considerable importance to themselves during their lives—they must give the prisoners the benefit of that doubt. There were peculiarities in this case which did not rise in all cases. For example, a great number of the witnesses were South Sea Islanders, coloured men—uneducated men—men unacquainted with religion and the other sanctions which bind us white men to the truth. But the law had seen this, and had seen the trouble that had occurred in past cases, and the fact that guilty men had not been brought to justice, and had enacted that the black man, or the coloured man, or the man generally who was not bound by the sanction of an oath, should under certain circumstances be entitled to give evidence. It had cast on the Judge the duty of ascertaining whether or no these men had gone through that process which qualified them to give evidence, and the moment they were allowed to give evidence the law said that what they said was evidence, and was receivable as evidence, and was as good as if it were given on oath. Evidence on oath was credible or incredible—it was true or false. It was for the jury to say whether it was true or false, and so this evidence, given under the caution they had heard, was true or not true, and it was for them to say whether it was true or not. In law it was of none the less weight because given under a caution than if it were given on oath. In fact, now-a-days he doubted very much whether a clear knowledge that they would be punished in this world was not even a greater guarantee of truth than want of such knowledge combined with a very forcible knowledge of a chance of something hereafter which they might or might not be able to set right with a death-bed repentance or otherwise. There was another class of evidence, and that was what was called in the nature of accomplices' evidence. An example would be Nash, who was originally arrested and had turned what had been called Queen's evidence. When the one proof against a person charged with a criminal offence was the evidence of an accomplice uncorroborated in any material particular, it was the duty of the Judge to warn the jury that it was unsafe to convict any person on such evidence, though they had a legal right to do so. But if such evidence was corroborated, it was as good as any other evidence. There were some more general directions which he must call their attention to. There were six men in the dock, and there was a certain class of evidence which would be receivable against one which would not be considered as against the others. If one of the prisoners, for example, were to make a statement, that statement would be receivable as a confession against him, but it would not be evidence against any one of the other prisoners. There was a statement said to have been made by Absalom, and if it was credible at all, it would only go against the prisoner Absalom himself. Nothing in it must go in any way to assist them in finding the other men or either of them guilty. So again, statements which were made by persons in the presence of another man were receivable in evidence against him, because it was assumed that if they were offensive or otherwise objectionable to him he would not stand by and hear them said. Now, the offence the prisoners were charged with was that on the 21st May 1894, they carried away Erringa, Sooquow, and Zeelotta without their consent. The evidence went to show that this offence, if it took place, occurred at Malayta or Urassi Passage, and it was his duty, as a question of law, to tell them that the island of

Malayta, in the Pacific Ocean, is not in Her Majesty's dominions, and is not within the jurisdiction of any civilised power. The question now for the jury to decide, was : Did they take away these three men, or any one of them, without their consent, and take them somewhere else ? In some cases the Crown had to prove its case in every particular beyond a doubt ; but in this case, if the Crown alleged the taking away, the other side had to show that it was with consent. The law was so strict in this matter that it cast the duty of clearing themselves upon the person or persons charged. This was a most exceptional case ; but the Legislature of this country had thought fit to say that that should be the law, and they must abide by it. A criminal offence was an offence against our Sovereign Lady the Queen ; and the only answer to a charge of that nature was the pardon from the Crown, pleaded in the case. The crime, having once been committed, lasted. So that if these boys were taken one yard without their consent the crime was committed. If, having been taken to the ship, any force was used to make them sign, the crime was committed. If, at any moment they were not voluntary agents, it did not matter whether the loss of free agency was for an infinitesimal time, the crime was committed, and it would be the duty of the jury to find a verdict of guilty ; so that the prisoners had to show that the crime was never committed. His Honour then explained the law as to principals in the first degree, principals in the second degree, and accessories in the commission of a crime. Illustrating this he said that if the prisoner Vos, as alleged, commissioned Quisoolia to steal labourers for him, and he counselled, or procured, or commanded the commission of the offence, he would be guilty as an accessory. If, on the other hand, he was present at the signing-on, and if at that signing-on force was used to either of the two boys—Erringa or Sooquow—he would be a principal in the first degree, and other persons aiding and assisting would be a principal in the second degree. Now again, if these prisoners, or one of them, had engaged in the execution of this crime, then each of them was a principal in the second degree in respect of every crime committed in pursuance of it. If a man joined others in the commission of a crime, he was liable for all those others did in the commission of the crime. Now, with regard to the two prisoners Absalom and Dowsett, if not further with regard to the other officer of the ship, Hall, they might be said to be engaged subject to obeying superior orders. If either of these persons was acting under orders in respect to the stealing of these boys or in the signing-on, they were responsible for the offence which was committed, and they were not justified by the circumstance that they acted in obedience to orders given to them ; but the fact that they were obeying orders, and that the order was apparently lawful, was relevant to the question whether they believed in good faith, and had reasonable grounds for belief, in the existence of a state of fact which would justify them in believing that what they did was lawful apart from such orders. For example, if they saw these boys carried from the shore and brought on board the boat, they could not on any ground have believed that it was apparently lawful, and they could not in good faith have believed in a state of facts which would justify them in obeying the orders to row that boat back to the ship with these men in it, and the moment they did that they became equally guilty with the actual perpetrators of the deed. So, again, if they or any of them knew of the signing-on, and that was wrong, or if they also knew that before the signing-on Sooquow and Erringa had been stolen, and there was a continuing order to them to work the ship, if they worked the ship they would be liable, because the moment the crime was committed everyone who obeyed the order in that ship, knowing that a crime of this kind had been committed there, became at once an aider and abettor in the commission of the crime. There was one other matter to which he would call attention, and that was with regard to the confession of Absalom. Our law said, in section 10 of the Criminal Law Amendment Act of 1894, that no confession which was tendered in evidence in a criminal proceeding should be received which had been induced by any threat or promise by some person in authority. Now, it was his duty to see that nothing but relevant evidence went to the jury. Consequently, for the purpose of admitting evidence he exercised the dual functions of judge and jury. He considered and for the time decided on the evidence tendered to him, whether or no the confession in question had been given or made in consequence of a threat or promise. That confession was put in. At the time it was put in he considered that no threat or promise had been proved on the cross-examination by Mr. Feez. Subsequently other evidence was tendered—in part that of Absalom himself and the evidence of Inspector Lloyd. He would say that, acting as a jury, he entirely disbelieved the whole of the evidence of Absalom respecting the circumstance that a threat or promise had been held out to him. He disbelieved it then, and he disbelieved it now, and it was the duty of the jury, if they did not agree with him, and they thought there was a threat or promise, to disregard that evidence in coming to a conclusion on the case. He (his Honour)

believed that there was no threat and no promise, or anything else. Unfair dealing, which Mr. Feez referred to, had nothing at all to do with it. A few months ago it used to have something to do with it, but now if it did not amount to a threat or promise it did not debar the evidence. Another thing was (and he did not like to mention it, but a good deal was made of it by the Bar), and that was that there was no motive for the commission of the crime, and it was pointed out that there was no pecuniary motive attached to it. Well, it would be news to him to be told that the 10*d.* a day and rations were the motive that led the English soldier to the battle. He took it that the English soldier never thought of the 10*d.* a day and his food when he went to battle; he went to save his honour. That was a strong motive, but it was not a pecuniary motive. And in this case might not there be a motive of honour? Might it not be an honour to bring home a full number of recruits, and a dishonour to bring only five? They saw ships coming home with 60, 70, or 80, and anything but a full cargo, ship after ship. What kudos would the captain get by bringing 80, when his full number was 196? And again, was there not a pecuniary motive behind that? They had it in evidence that the charterer was the man who bore the loss. If the captain came home with a half-full ship, was he likely to get another ship? He was not likely to get another ship; and there was his bread and cheese, and of all those with him. So there was a circumstance which would justify them coming to the conclusion that there was a sufficient motive for the commission of this crime, though whether or not a crime had been committed was for the jury to decide. Now, in this case, there were certain witnesses who to a certain extent were discredited witnesses. The first he would mention was Nash, who had turned Queen's evidence. They would have to apply to his evidence the rule which he had given as to the testimony of accomplices, and if it was not corroborated they would not act upon it. Another witness who was discredited was Absalom, who was a witness for the prisoners. With regard to prisoners giving evidence, it might be as well for him to suggest to them whether a prisoner giving evidence on his oath was more likely to tell what was false than if he were an outside witness. Probably they would say he was not, unless he had a strong motive for telling falsehoods, which would equally apply to a man giving his evidence in the witness-box, if they only knew his motive. If the prisoner had no motive his oath was as reasonable to believe as that of a free man, and if either had a motive then they would cautiously criticise his evidence. The motive with the principal number of prisoners was liberty or otherwise, and there was nothing more dear to man than his liberty. Therefore the jury would probably, in considering the evidence of prisoners given from the dock as in contradistinction to the evidence of persons given elsewhere, look whether they had a motive to give a tone to their evidence which would make them free men. Absalom had told them that his first statement was untrue, and he had made another statement which was inconsistent with the one that he gave at the time he thought he would be taken as Queen's evidence. It was a question for the jury how far they believed him. If he was corroborated by other witnesses they would probably believe him. And then they came to the witness Narwell Johnson, who was a witness for the Crown, and who stated to Mr. O'Shea that he saw nothing wrong, but that the boys came along themselves. If they believed that that conflicted with the evidence that he had given on oath, they would probably put him among the discredited witnesses; and before they gave credence to his statement they would probably wish to see whether he was corroborated; but it was not necessary for them to do so. It was only in the case of accomplices that they must have corroboration. There had been a great deal said, too, about no complaint having been made on the voyage, and consequently a complaint made at the end of it was discredited. Now, a number of witnesses commenced by saying that they had been in Queensland before, some seven, some eight years. These men knew something of the world and its goings on, and they might or might not have heard of the Hopeful case. Whether they had or not, they would have seen the proceedings which took place in Queensland on the arrival of Natives. They would have seen that Mr. Brennan went down and asked for, or was there to receive, complaints, and they would know that as soon as he was there no captain could put them in irons, and no Government officer say "Shut up." They would know that they were in perfect safety. The new hands going on board would not know this; but how soon after they arrived on board, illegally taken on board, would it be before they heard it? Might not advice be given them to "Keep quiet now; if you don't you will get into trouble now; but it will be all right when you get to Queensland"? Again, they would have had this experience on board this ship. The evidence of the man Rovannie was that Quisoolia walked up to the prisoner Olver in the water, and said to him, "Mr. Olver, don't you be cross with me; Captain Vos told me." Olver replied to him, "I am not cross with you." Now, it was a remarkable thing that this case had

lasted since Monday week, but Olver had never denied that. Then Try, in his evidence, said that Quisoolia said to the prisoner Olver, "Don't you be cross alonga me, Mr. Olver, because Captain Vos, he wanted me;" and he was not cross. And then there was a piece of evidence by Narwell Johnson. It was that when Quisoolia had caught these three boys he (Johnson) said to Olver, "What this for?" and he was told to "Shut up," so they had a direct complaint there. Then on the ship they were told of Amboo-oba being found coming from the married women's quarters; but they did not find any suggestion that there was an investigation. They did, however, find the captain at one time saying, "If you do that again I will put you in irons." Now, if that was the way in which the officers of the ship acted, one saying, "Shut up," and another, "I will put you in irons," was it wonderful that no complaint was made on board the ship, and especially to these men—a complaint which amounted to saying, "You have committed a crime for which you are liable to the highest punishment that the law will inflict, except death." It was for the jury to consider what the position of the complainants would have been on board that ship, and whether such a complaint would have been safe under the circumstances. If it were not, that was an explanation. His Honour briefly pointed out the evidence relating to the different prisoners. It had been said, he went on to say, by the prisoners' counsel, and very aptly, and worthy of the consideration of the jury, that the whole of the trouble against the prisoners found its basis in Amboo-oba's venom. Amboo-oba wanted to be a missionary-boy on the island, and he alleged that the captain put Quisoolia up not to have him, whereby the captain got three boys to go back. Amboo-oba was thus frustrated in his divine inspiration, or whatever they might call it, and prisoners' counsel suggested that in his venom and resentment he determined to make the captain and the others suffer for having prevented him starting this school, and he concocted this story and taught it to his fellows who could not speak English. It was not suggested how he got hold of Nash to teach him, but Nash got hold of it, and it was made out that he made his statement in order to get out. If the jury believed that these men had done that, of course they would let the prisoners go free. It was not for him (his Honour) to pass any opinion upon it. Now, there were nine witnesses called for the Crown, of which five were Islanders. If the jury believed their evidence, and did not find them discredited by the other evidence, then the verdict would go against the prisoners. He would suggest that they should take these five and form opinion about them without the rest, and then take the remainder of the Crown's case. They would then see whether the four, Nash (the accomplice), Denis Shanahan (the detective), Narwell Johnson (the discredited witness), and Mr. Brenan, conflicted with the five blacks or not. If, generally, they did not agree, would the jury still believe the blacks' story; and if they did, would they, without the prisoners' evidence, have convicted the prisoners? If they would have convicted the prisoners, then they must recollect that the prisoners had to show consent to the taking of the Islanders, and up to that time it was unnecessary for the Crown to prove it. The prisoners could prove it by calling evidence, or by the evidence which they got out of the Crown witness in cross-examination. If, up to the end of the Crown's case, on the evidence before them, they would have convicted the prisoners up to that, they had the commission of the offence, consent not having been proved. Then they came to the prisoners' evidence, and it was for them to decide what amount of credibility they would attach to it. Having satisfied themselves what credibility they attached to it, they would put it against the evidence which they had already considered sufficient and the most credible, and say whether they believed the story of these men or of the Crown. They would then add to the prisoners the four men, Keld, Ellis, Howlin, and Hickson, and consider how far their evidence was credible. Now these four witnesses, if they knew anything at all of the commission of the offence, might be standing in the dock at the next sittings of the Court in the same position as the prisoners. They (the jury) would consider whether these men had not as strong a motive as the prisoners to colour their evidence, that was if any of them had any motive. Of course he did not suggest that any of them had. The prisoners were all in the same position of giving their evidence in favour of their own liberty. Had that been sufficient to taint their evidence. If it had, then the Crown's case stood? He had now pointed out to the jury what was necessary should be pointed out, and he had intended not to indicate to them in the slightest degree any inclination on his part on the credibility or incredibility of any one of the witnesses, or of any story that had been mentioned. All that was entirely for them. If, unhappily, he had said anything which indicated any opinion on the guilt or non-guilt of the prisoners, it had been unintentional. It was not his duty to weigh evidence. It was not his duty to lead the jury by the nose or to drive them. In concluding, his Honour said: "It is between you and your God and

" the oaths which you have sworn to weigh the evidence and a true verdict give ; and, gentlemen, as that verdict is true or not, so you believe God may help you."

The jury then, at 3.20 p.m., retired to deliberate on their verdict. At five o'clock, being still in deliberation, they were directed to be locked up for the night.

His Honour intimated that he would attend at 10 o'clock, and remain in attendance, if necessary, till noon, to receive the verdict of the jury.

The Court then adjourned until 10 o'clock on the following morning.

" WILLIAM MANSON " CASE.

THE VERDICT OF THE JURY.

" NOT GUILTY."

THE PRISONERS REMANDED ON OTHER CHARGES.

The trial of the prisoners charged with kidnapping in connexion with the late voyage of the " William Manson," was brought to a close in the Supreme Court on Saturday. His Honour, Mr. Justice Harding, took his seat on the Bench at 10 o'clock, and the jury, who had been locked up all night, were called in. The associate inquired whether they had agreed upon their verdict, and the foreman replied that they had. The associate then asked what was their decision with regard to each prisoner separately. The foreman and jury answered, " Not guilty," in each instance.

His Honour asked if there was any other charge against the prisoners.

The Attorney-General said there were other charges against the prisoners.

His Honour accordingly remanded the prisoners, and then, addressing the jury, said he thought they had ably performed their duty to their country, and in exercising a power given by section 6 of the Jury Act Amendment Act of 1884, he excused them from further attendance during the rest of the sittings of the Court. He thought that was the first time that that power had been exercised. In parting with the jury he was sorry that they had had such a long time of confinement. It was one of the duties that we all owed to our country, and he was sure the country was thankful for their services. They were excused from further attendance at the Court.

The Court then adjourned until 10.30 o'clock this morning.

No. 93.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 10, 1895.)

Government House, Brisbane,
April 30, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 26th of November, 1894,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel " Rio Loge," I have now the honour to transmit copies of reports which have been furnished by the Immigration Department respecting her late voyage.

I have, &c.

H. W. NORMAN.

Enclosures in No. 93.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
April 22, 1895.

SIR,

THE return of the labour ship " Rio Loge " to Bundaberg on the 19th ultimo, affords me the honour of reporting upon her recent and third voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for (150) one hundred and fifty Islanders, and licenses were granted to enable the master to recruit one hundred and nineteen (119) for twelve (12) employers in the Maryborough and Bundaberg districts.

* Not printed.

W. Spence was the master and Mr. D. Shepherd the Government Agent.

The ship left Bundaberg on the 15th of October last, having seventeen (17) returning Islanders on board, and arrived at Tanna on the 5th of November following.

All the returning Islanders were landed at their proper landing places, with the exception of one, landed elsewhere at his own request. (See Appendix A.)

Recruiting commenced at Black Beach on the 6th of November, and was prosecuted throughout the New Hebrides, Banks, and Solomon groups, finishing at Florida on the 16th of February last, having occupied one hundred and seven (107) days, during which period ninety-nine (99) recruits were obtained, 92 males, and 7 females. No. 49 "Bot-lee-o," recruited on the 28th of December, at Maivo, afterwards exhibited signs of insanity, and it was considered advisable to return him to his island, which was effected on the 31st.

On the 26th of February the ship took her departure from Guadalcanar for Queensland, carrying ninety-eight (98) recruits, who were brought from the following groups:—

New Hebrides	-	-	-	-	-	66
Banks	-	-	-	-	-	7
Solomon	-	-	-	-	-	25
Total	-	-	-	-	-	98

including 26 previously employed in Queensland.

" 1 " " " " Samoa and Fiji.

With regard to Regulation 46, no money was forwarded by the "Rio Loge" for distribution to relatives of labourers who have died under engagement in Queensland.

The Health Officer has passed all the Islanders with the exception of No. 5 "Bobarry," suffering from Bright's disease; 33 "Teahwissy," sore in groin; 86 "Taronga," bruised leg; the two latter, under proper treatment, will probably soon get well.

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENNAN,
Immigration Agent.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG, relating to one Islander landed elsewhere than at his own Village at his own request during the Voyage of the "Rio Loge."

Name.	Proper Village.	Island.	Extract, 1895.
12. Wimatook -	Tasso -	Gana -	8th January.—Off Lacona. Lowered boats at 8 a.m. to land No. 12 "Wimatook," but owing to heavy sea on E. and S.E. side of island had to bring the boy back again. 9th January.—Off Lacona. Took returns, 12 "Wimatook," and No. 5 "Sarawaswas," to land at Looselava, being unable to land No. 12 at his own passage <i>vide</i> log of yesterday, and he requested to be landed at Looselava, where there would be some of his people; there were about a dozen of his tribe to welcome him. No. 5 "Sarawaswas" was in my boat. On arriving at the shore his sister and brother with about 20 others met him. They had a long conversation, he handed the sister some money and the key of his box. I took him by the arm to put him out of the boat while she took his hand to pull him out, but we could not get him ashore. His sister told him and afterwards explained to me in English that his father had left Lacona and gone to live at Vanna Lava. The boy said "me no go ashore, you take boxes." The boats pulled along shore until 3.30 p.m., calling at mission station. I tried to get the boy ashore but he would not go. A half sister also tried but failed and then sent him some cooked bread fruit. Throughout the trip he has been exceptionally quiet and a willing worker.

No. 94. (Answered to No. 93. 1895)

SIR H. W. NORMAN to the MARQUESS OF RIPON.

(Received June 10, 1895).

[Answered by No. 97].

Government House, Brisbane.

MY LORD MARQUESS, April 30, 1895.

IN continuation of my Despatch, dated 22nd of November 1894,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Sybil," I have now the honour to transmit copy of a letter from my Chief Secretary, with enclosures, respecting her late voyage.

2. It will be observed with regret that there was a serious outbreak of dysentery on this vessel, and that eight of the Islanders died.

I have, &c.

H. W. NORMAN.

Enclosures in No. 94.

Chief Secretary's Office, Brisbane,

April 29, 1895.

SIR,

I HAVE the honour to forward, for your Excellency's information, copies of the Immigration Agent's report on the 9th voyage of the Pacific Island labour vessel "Sybil," which returned to Brisbane on the 9th ultimo, together with a report by Mr. Government Agent Nicholson, on an outbreak of dysentery which occurred on board, proving fatal in two cases before the vessel arrived in Moreton Bay, and in six cases subsequently, and which necessitated the quarantining of the vessel, the crew, and passengers at the Quarantine Station, Peel Island. Of the Islanders who succumbed to the disease, two died at sea, one in the Brisbane river, off Lytton, and five at the Quarantine Station.

I also enclose extracts from a report by Dr. K. I. O'Doherty, the surgeon in charge of the Quarantine Station, giving particulars of his treatment of the sick men, and its results. The desire to place your Excellency in possession of these particulars has led to the delay which has occurred in transmitting these reports.

It is to be regretted that so many of the Islanders should have succumbed to the disease, in spite of the prompt measures which were taken in regard to quarantining the "Sybil," and providing medical and nursing attendance for the patients. Of the surviving Islanders, 44 were forwarded to the Ingham district on the 23rd ultimo, four have since been sent out on engagement, and one still remains in the Immigration Depot, for nourishing treatment.

I have, &c.

HORACE TOZER.

His Excellency

Sir Henry W. Norman, G.C.B.,

&c. &c. &c. Governor.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

April 5, 1895.

SIR,

THE return of the labour ship "Sybil" to Brisbane on the 9th March affords me the honour of reporting upon her recent and 9th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for one hundred and sixteen (116) Islanders, and licenses were granted to enable the master to recruit that number for nine (9) employers in the Ingham district.

F. F. Malcolm was the master and Mr. F. V. Nicholson the Government Agent.

The ship left Maryborough on the 3rd of November last having ten (10) returning Islanders on board, and arrived at Graciosa Bay, Santa Cruz, on the 18th of November.

All the returning Islanders were landed at their proper landing places.

Recruiting commenced at Graciosa Bay on the 20th of November, and was prosecuted throughout the Santa Cruz and Solomon groups, finishing at Malayta on the 4th of February last, having occupied seventy-seven (77) days, during which period fifty-eight recruits (58) were obtained, fifty-six (56) males, and two females.

Recruit 44 "Whyfattah" was reported as missing on the 20th of January, and, as the ship was anchored close to the shore, he is supposed to have swum to the land during the night.

On the 18th of February the ship took her departure from San Christoval for Queensland, carrying fifty-seven (57) recruits, who were brought from the following groups:—

Santa Cruz	-	-	-	-	-	9
Solomon	-	-	-	-	-	48
Total						57
Including 8 previously employed in Queensland.						
5	"	"	"	"	"	Fiji.

On the following day, 19th February, dysentery made its appearance, causing the death of two (2) recruits on the 7th March. On arrival in Brisbane river on the 9th, the health officer ordered the vessel into quarantine, and up to date of this report six (6) others have succumbed to the disease. A list of the deceased Islanders is enclosed herewith (Appendix A), and also a copy of the Government Agent's report on the probable cause of the outbreak of dysentery.

The Health Officer passed 45 of the Islanders on 23rd ultimo, one of whom, "15 Ryah" is in depôt for nourishing treatment; the remainder, 44, were forwarded to their destination, Ingham district, on same date. Four (4) Islanders are still in quarantine. With regard to Regulation 46, no money was forwarded by the "Sybil" for distribution to relatives of labourers who have died under engagement in Queensland.

Mr. Government Agent Nicholson in his report suggests "that a better inspection of awnings be made before the ship leaves port, and that they should be perfectly waterproof, as I consider that in a wet climate such as that of the South Sea Islands it is most important to the health of the Islanders to give them as much deck room as possible, even in wet weather."

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N. BRENAN,
Immigration Agent.

APPENDIX A.

LIST of Islanders who died from Dysentery.

No.	Name.	Island.	When Recruited, 1894.	Date of Death, 1895.
3	Plongalla	Santa Cruz	20th November	20th March.
4	Met-a-beer	"	21st "	14th "
5	Lamova	"	21st "	22nd "
17	Mahi	San Christoval	10th December	12th "
18	Mattatarow	"	10th "	7th "
26	O-yes-se	"	17th "	7th "
27	Talahoosie	"	17th "	10th "
			1895.	
56	Sweendarusah	Malayta	1st February	14th "

Sir,

Brisbane, April 1, 1895.

In reference to our conversation this morning *re* my opinion as to the outbreak of dysentery amongst the Islanders on board the "Sybil," I have now the honour to state that, after looking through my log and carefully noting the dates of the recruiting and first symptoms of sickness of the various Islanders who were attacked by the disease,

and also going over the chart track of the vessel, I have no reason to suppose that the disease was brought on board the "Sybil," but that it broke out from such cause as bad water*, change of diet, or want of native food, which is not procurable at this season of the year.

I certainly heard at Farmarity, close to Cape Survelle, San Christoval, on the 18th February, that dysentery was playing sad havoc amongst the Natives there, but as our boats' crews were only a few minutes off their passage, and had practically no communication with the shore, I certainly cannot attribute the breaking out of the disease to our visit, and we had no previous communication with San Christoval since we left the north-west coast of that island for Guadalcanar Malayta, on the 21st December, and when no sickness of any kind was reported to us.

I have, &c.

FRANK V. NICHOLSON,

Government Agent, Late of schooner "Sybil."

DR. K. I. O'DOHERTY'S REPORT of the KANAKA BOYS quarantined at PEEL ISLAND.

SIR,

Brisbane, March 29, 1895.

I HAVE the honour to forward to you herewith a report of the proceedings which took place at Peel Island from the 12th to the 27th of March during the detention in quarantine of the Kanaka boys who were landed there from the schooner "Sybil" and placed under my medical charge.

On the morning of the 13th March, I examined all the sick boys carefully and found they were suffering from a low anæsthetic form of dysentery, the worst cases being unfortunately from boys recruited from Santa Cruz who had been on board for between three and four months, having been the first recruited, and whose long stay in the confined atmosphere of the vessel, with foul water to boot, had greatly debilitated them. To make matters worse, none of these boys could understand a word of English nor could any of the other recruits understand their language. Examining them closely I found no evidence of any acute disease; all were much weakened and affected otherwise more or less in a like manner, viz., with a constant action of the bowels accompanied by much straining and passing but little from them but blood and mucus. All of them complained of much pain in the lower part of the abdomen, especially at the left side. The pulse was quick and weak, and the temperature variable, but in most of them rather sub-normal. In the worst cases there was much debility. The treatment had recourse to in all cases was directed to support the vital powers with stimuli, whiskey and brandy being freely given in small quantities combined with milk and beef extract, and occasionally thickened with arrowroot, corn-flour, and rice. Bread and tea would sometimes be taken in preference to anything. Other remedies were, of course, had recourse to; in the cases where the strength permitted it, calomel and Dover's powder, followed by castor oil was tried, and powdered ipecacuanha, but the difficulty of inducing them to swallow anything with a bad taste forced us to rely mainly upon giving all food and stimuli by the mouth and using different forms of enemata, always in small quantity, by the bowel as the vehicle for administering medicine.

On the 14th March.—I had the good fortune this morning to secure the services of one of the seamen of the schooner "Sybil" named Charles Green, who had been recommended by Mr. Nicolson as a steady and intelligent man. By his aid I was able to establish some order and discipline amongst the sick boys, who all knew and obeyed him. The boys recommended by Mr. Nicolson as watchmen turned out to be of no use whatever, and I learned that during the last night the sick men had been constantly running out in the wind and rain, which would have speedily exhausted them; as it was, two of the Santa Cruz boys died this morning, Mat-a-be and Swamdene-can, both of whom had been in a dying condition when they were landed.

March 15.—On this day I had the great satisfaction of receiving the further aid of two skilled nurses chosen by Dr. Jackson from amongst his hospital corps, namely, Miss Pascall and Miss Thomas. They at once settled to their work in their usual skilful and devoted manner, and I was from thenceforth enabled to establish regular watches night and day, which proved a most valuable aid.

* *Officer in Charge.*—This requires explanation. W. E. P. O.—Mr. Nicholson's remark about bad water is more surmise than anything else. The water, he thinks, was not first-rate, but it only affected some of the recruits, while all on board used it and did not suffer. Native food is never procurable in the Solomon Group, at the time the "Sybil" was last there (February).

All this time our sick boys in ward No. 2 were steadily progressing, and six of them I considered sufficiently recovered to be restored to the main body, their names were—

Be-yah,
Mawalla,
Lo-a-o-lah,

O'Bou-rah,
Folia-Galla, and
Lar.

Whilst releasing these boys, I was compelled to-day to order into their ward a boy named Wam-ai who had been acting as an assistant, and was rather suddenly seized with violent pain in the abdomen and some fever; he was, however, speedily relieved by a dose of castor oil and chlorodyne, and was returned to his healthy companions the following day.

March 16th, 17th, and 18th.—Matters during the last three days have proceeded very much as they were at the date of last report. In the cases of the Santa Cruz boys I cannot report any decided progress towards recovery, indeed in the cases of Planyalla and Li-mo-va, I fear it has become only a question of how long they can be kept alive. The nurses exhaust themselves night and day in their efforts to keep them alive in spite of themselves. They are each day visibly declining. A remarkable feature in the character of all these boys is their sensitiveness about soiling their beds or clothes by the bowel discharges; whilst they have life and strength left they will struggle to get out of the ward to ease themselves. It is impossible to reason with the Santa Cruz boys, who do not understand a word of what is said; but the other boys have been persuaded by the nurses to act more rationally, and a consequent improvement in their cases is visible. They are content now to use the vessels placed in their ward, properly disinfected.

* * * * *

March 19 and 20.—Plany Alla finished the long struggle on the 20th and died on that day; his mate Lemova, still living, continued to baffle all our efforts to save him; within the past few days his sufferings were aggravated by a swelling extending over his right thigh evidently of a periostetic character; we could do nothing with it, but keep it enveloped in warm stupes.

The remainder of the boys in this ward begin to show evidence of amendment. They begin to take their food better from the nurses who tend them night and day with the greatest care. To enable them to attend at night, Mr. Nicolson volunteered to take his turn with Green, in assisting at the night watch, so that during the 24 hours they are never without watchful eyes upon them, the result of which has become evident to all but poor Lemova.

The treatment is now very much confined to judicious feeding and stimulants given in small and frequent doses together with constant warm fomentation.

The nurses, who were at first regarded by them with bitter hostility, have completely won their confidence by their kind and gentle care.

March 21st and 22nd.—I can as yet report but little progress in the cases of the Santa Cruz boys.

Poor Lemo-va died to-day, thoroughly exhausted by his sufferings, and with him, I am n hopes, disappeared the last of the fatal cases.

All who had been confined in ward No. 2, which I named the convalescent ward, were now recovered and had been permitted to rejoin their healthy companions. On the 21st, general inspection of the boys was held by the medical officer of health, Dr. Wray, who expressed his satisfaction at their condition.

March 23rd.—This morning I was informed that a steamer would be sent to take away all whom I should think free from disease, and I felt well pleased to be able, under such conditions, to send back all the boys except the following four still remaining in ward No. 1, viz:—

Madge, from San Christoval.
Burwatto
May-Kue from Santa Cruz, and
May-Bulcha „

all of whom although still too sick to leave were undoubtedly mending.

March 24th, 25th, and 26th.—Since last report everything has gone on very satisfactorily, all the remaining patients progressing well. The nurses have acquired complete control over them, and under their gentle sway and careful feeding, which is the only

medicine administered, they are all rapidly convalescing. They are all still very weak, but day by day a slight improvement is discernible, and I have no fear but that in a few days they may be safely released.

March 27th.—A telegram was this day received from the Principal Under Secretary directing me to remove all the remaining boys to Brisbane if I considered them free from disease and fit to go, which I was very happy to do. In the cases of all four, and, embarking with them on board the "Otter" steamer, I saw them the same night comfortably lodged in the Immigration Depôt under the supervision of Captain Herbert.

K. I. O'DOHERTY, F.R.C.S.I., &c.

Surgeon in charge at Quarantine Station.

No. 95.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received June 17, 1895.)

[Answered by No. 96.]

Government House, Brisbane,

May 4, 1895.

MY LORD MARQUESS, In my Despatch of the 26th February 1895,* I reported to your Lordship that Natives of the Gilbert and Ellice Islands had been brought to Queensland for the first time as labourers in the "May," one of the licensed labour vessels of this Colony.

2. Subsequently I received from the High Commissioner of the Western Pacific a letter dated the 22nd February last,† expressing regret that recruits were taken from these islands, giving various reasons why they are believed to be unsuitable for work on sugar plantations, and asking that no further licenses should be issued for recruiting in the Gilbert Islands, except for certain light employments, and under certain regulations, and requesting that recruiting from the Ellice group should be prohibited altogether.

3. On receipt of this letter, I forwarded it for the consideration of the Chief Secretary of Queensland, copy of whose reply to my reference I enclose, for the information of your Lordship. Copy of Mr. Nelson's letter has been sent to the High Commissioner, and your Lordship will perceive that, pending further information and consideration, no vessel will be permitted to recruit at these groups.

4. Copy of the report of the Bishop of Melanesia which is expected by the Chief Secretary, as stated in the last paragraph of his letter, will be sent to your Lordship when received.

I have, &c.

H. W. NORMAN.

P.S.—Since the above was written, the following telegram has been received by the Principal Under Secretary from the Bishop of Melanesia, who was then visiting the Pacific Islanders in the Bundaberg district: "Gilbert and Ellice Islanders seemed "happy and well at Fairymead, but could not understand conversation."

May 8, 1895.

H. W. N.

Enclosure in No. 95.

Chief Secretary's Office, Brisbane,
May 2, 1895.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of a letter from the High Commissioner of the Western Pacific, dated the 22nd of February last, with reference to the subject of recruiting by Queensland labour vessels of Natives of the Gilbert and Ellice Groups for service on the sugar plantations in this Colony.

It is, of course, greatly to be regretted that the action of this Government in permitting the extension of the labour trade to the islands in question is viewed with disapproval by the High Commissioner, even though its legality is conceded by him,

* No. 85. † See Enclosure 2 in No. 84.

and it is also a matter for regret that the Government, in the absence of any anticipation that Sir John Thurston would regard such extension as a "new departure" in the history of the traffic, did not think it necessary to ask your Excellency to specially notify that it was in contemplation to issue licenses to recruit labourers at these groups.

The High Commissioner's objections to recruiting in the Gilbert and Ellice Islands are (1) that the employment of Natives of these islands in agricultural work in Queensland would be detrimental to the Islanders themselves, and (2) that recruiting in these groups would be likely to cause grave embarrassment in the administration of the new protectorate.

With regard to the first objection, it seems somewhat difficult to understand how the conversion of a non-agricultural into an agricultural people could act for their detriment. A telegram to "Fairymead," where a number of these men are employed, elicits the reply that they are working well, that their behaviour is good, and that their general health is good also. Mr. W. B. O'Connell, M.L.A., who was for a long time an inspector of Pacific Islanders, reports as follows:—

"They are much finer men than the ordinary South Sea Islanders, and sufficiently intelligent to take care of themselves, both as regards health and otherwise. So far they seem to be quite satisfied with their lot, and Mr. A. Young tells me they work very well, and are easily managed."

Dr. W. D. Thomas, of Bundaberg, reports thus of the same Islanders:—

"So far, I am happy to state that there has been very little serious illness amongst them. They appear to be very happy and contented. The only death amongst them was a boy named 'Guarrowe,' who succumbed to an attack of dysentery. Amongst such a number of new boys, during the first few months after their arrival from the islands, I do not remember to have had less sickness amongst them."

If this state of things continues, and there seems to be no reason why it should not, it is difficult to perceive that a change from a life which, according to the best information, is principally occupied in singing, dancing, and drinking "sour toddy" to dull the pangs of hunger, can be otherwise than beneficial, especially when it is considered that the new life of these Islanders is carefully hedged round with conditions which tend entirely in the direction of their health, their comfort, and their improvement. The very picture drawn of the poverty of the islands in question seems rather to argue the humanity of affording some of the Natives an opportunity of acquiring occupations which may afterwards prove of benefit not only to themselves but to their entire community.

I may here mention as bearing on the point, owing to the similarity of geographical position and natural conditions, that a number of Natives of the 'Ocean Islands who were introduced into Queensland about nine or ten years ago, and who, when recruited were, and had for some time been, in a state of starvation, owing to want of rain in their islands, thrived remarkably well during their three years' stay in Queensland, and I have a report before me from a gentleman who employed a number of them to the effect that "they very soon learned their work, settled down to it, behaved splendidly, and gave every satisfaction." The same gentleman states that he never heard of a death among the Islanders imported from that group during their stay in this Colony.

With respect to Sir John Thurston's objection that recruiting at the Gilbert and Ellice Islands would be likely to cause grave embarrassment in the administration of the new protectorate, I may observe that, had your Ministers anticipated that any difficulty of this nature was likely to arise, they would have prevented recruiting at these groups. Indeed I may state that they would not, without further communication through your Excellency with Sir John Thurston, have allowed any other vessel after the "May," to recruit at these groups but for the fact that the "Lochiel" had made all its preparations before the High Commissioner's views were known here, and the Government could not revoke their permission without inflicting a heavy loss upon the owners.

This Government is perfectly willing to arrange that, as suggested by the High Commissioner, all recruiting ships visiting the groups in question shall report themselves at the office of the Resident Commissioner upon their arrival and departure from the groups, and that recruiting be done under circumstances (provided for by Queen's Regulation) which will not interfere with the Government now established there. These two suggestions so obviously meet the political difficulty raised by Sir John Thurston

that the whole matter appears easy of settlement. I would advise, however, that the question be kept open until further communication with the High Commissioner, and some information obtained as to the nature of the regulations, referred to in his letter, which he proposes to make in connexion with recruiting at these islands.

In the meantime, no vessels will be permitted to recruit at these groups, and in any further consideration which may be given to the subject special regard will be had to the High Commissioner's strong expression of opinion in favour of the total prohibition of recruiting at the Ellice Islands.

I may add that the Bishop of Melanesia, who is now at Bundaberg, and who will see the Islanders in question, has promised to report to me upon their condition and their aptitude for work.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

I have, &c.
HUGH M. NELSON.

No. 96.

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

SIR, Downing Street, June 24, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 4th ultimo,* with its enclosures, from which it appears that, pending further information and consideration, no vessel from Queensland will be allowed to recruit labour from the Gilbert or Ellice groups.

I have learnt with satisfaction the decision which has been arrived at in this case.

I have, &c.
RIPON.

No. 97.

THE MARQUESS OF RIPON to SIR H. W. NORMAN.

SIR, Downing Street, June 24, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 30th April,† enclosing certain documents regarding the 9th voyage of the Pacific Island labour vessel "Sybil."

I should be glad to learn if there is any reason to suppose that the "Sybil" is less healthy than other vessels employed in the traffic, as it appears that the outbreak of dysentery was not due to imported disease, and I should also wish to know whether the food supplied was of an inferior quality.

I observe, moreover, that Dr. O'Doherty, the surgeon in charge of the Quarantine Station, speaks of the water as being "foul," and that this is not absolutely contradicted.

I have, &c.
RIPON.

No. 98.

ACTING HIGH COMMISSIONER BERKELEY to the MARQUESS OF RIPON.
(Received June 26, 1895.)

High Commissioner's Office, Western Pacific,
Suva, Fiji, May 22, 1895.

MY LORD, I HAVE the honour to enclose herewith copy of a Despatch which I have received from the Governor of Queensland, together with copy of a letter from his Excellency's Chief Secretary, covering a report from Mr. Brenan, the Immigration Agent, on the trial for kidnapping, of Joseph Vos, master, George T. Olver, Government Agent, and other persons belonging to the labour barque "William Manson."

* No. 95.

† No. 94.

While agreeing with the Chief Secretary that, notwithstanding what seems to be a miscarriage of justice, the proceedings taken and the publicity given to them will tend to deter persons engaged in the trade from attempting to violate the laws laid down for their guidance, it appears to me that this case shows the necessity for more effectual supervision in the islands, the best method of securing which would be, as has been more than once suggested by Sir John Thurston, the appointment of a British Resident in the Solomon Islands, before whom all labour should be passed before taking their final departure.

I have, &c.

H. S. BERKELEY.

Enclosure in No. 98.

GOVERNOR OF QUEENSLAND TO HIGH COMMISSIONER.

Government House, Brisbane, Queensland,

April 25, 1895.

SIR,

As it is desirable that your Excellency should be placed in possession of information relating to all important incidents connected with the recruiting of labour vessels in the Pacific Islands, I desire to inform you that, in consequence of reports received by the Queensland Government relative to the late voyage of the barque "William Manson," the Government Agent, the captain, the recruiter, and others of that vessel, were arrested and brought before the police magistrate, and committed for trial on a charge of kidnapping Islanders.

2. Enclosed is copy of a letter* from the Chief Secretary which reports the result of the trial, and encloses a letter on the subject from the Immigration Agent. I also enclose newspaper cuttings, which give an account of the trial.

3. Although the men have been acquitted, it will be seen that the Chief Secretary has caused the Government Agent to be dismissed, and has ordered him and the others concerned to be for ever debarred from again taking part in the island labour traffic.

His Excellency the High Commissioner,
Western Pacific.

I have, &c.

H. W. NORMAN.

No. 99.

THE MARQUESS OF RIPON TO SIR H. W. NORMAN.

SIR, Downing Street, June 27, 1895.

I HAVE the honour to acknowledge the receipt of your Despatch of the 24th of April,* with its enclosures, in connexion with the trial of the Government Agent, the captain and others, of the labour vessel "William Manson," on a charge of kidnapping in the Solomon Islands.

It is abundantly clear, apart from the actual charge, that great irregularities occurred on the occasion, and your Government has, in my opinion, taken the proper action in dismissing the Government Agent, and forbidding him, with others connected with the vessel, from taking part in the labour traffic in the future.

On the specific charge, I regret that I am compelled to agree with you that, after a careful trial and prolonged consideration by the jury, there are grounds for fearing that a miscarriage of justice has taken place.

I have, &c.

RIPON.

* No. 92.

No. 100.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received July 22, 1895.)

Government House, Brisbane,
June 13, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 14th January last,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Roderick Dhu," I have now the honour to transmit copies of reports which have been furnished by the Immigration Department respecting her late voyage.

I have, &c.

H. W. NORMAN.

Enclosure in No. 100.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
May 29, 1895.

SIR, THE return of the labour ship "Roderick Dhu" to Maryborough on the 15th instant affords me the honour of reporting upon her recent and 26th voyage under the "Pacific Island Labour Acts."

The ship was certified to have had sufficient accommodation for 124 labourers, and licenses were granted to enable the master to recruit that number for fourteen (14) employers in the Mackay, and one in the Maryborough, districts.

G. Norman was the master and Mr. S. M. Smith the Government Agent.

The ship left Maryborough on the 3rd of January last, having fifty-nine (59) returning Islanders on board, and arrived at Guadalcanar on the 14th of the same month.

All the returning Islanders were landed at their proper villages or landing-places, with the exception of twenty-three (23), who were landed elsewhere at their own request, as shown in Appendix A.

Recruiting commenced at Guadalcanar on the 16th of January, and was prosecuted through the Solomon group, finishing at San Christoval on the 6th of May, having occupied 120 days, during which period ninety-eight (98) recruits were obtained—96 males and two females.

On the 20th February the Government Agent records in his log that "At daylight found that recruit No. 53 "Dela-funa-my," had deserted during the night."

On the 6th of May the ship took her departure from San Christoval for Queensland, carrying ninety-seven (97) recruits, who were all brought from the Solomon group, including—

16	previously employed in Queensland.	
5	"	Samoa.
3	"	Fiji.
1	"	Norfolk Island.

The Health Officer passed all the Islanders; two, however, require treatment, No. 1, for "ophthalmia," and No. 80, for "a large abscess over shoulder blade, and smaller "one on arm. Both cases are not likely to continue long sick, and after cure will be "quite able for ordinary work." The Health Officer remarks with regard to the recruits, "I will not say this lot of Islanders are the best I have ever inspected, but I "have no hesitation in stating I have never seen better."

The Government Agent reports everything has gone on smoothly, and the ship is in fair order.

I enclose herewith tracing of the course of the ship, showing places where Islanders were landed and recruited.

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

* Not printed.

APPENDIX A.

EXTRACTS from GOVERNMENT AGENT'S LOG relating to 23 Islanders landed elsewhere than at their own Villages, at their own request, during the Voyage of the "Roderick Dhu."

Name.	Proper Village.	Island.	Extracts.
Mky. 9. Fournah	Assiemie	Malayta	<i>Malayta, 3rd February.</i> —At anchor off Fokencarro. Allowed Bg. 22 "Quione" and Mky 9 "Fournah" to land in a Manoo canoe. "Fournah" informed me that his tribe had moved from Assamonie to Manoo, so I allowed him to land with "Quiony" at his own request.
39. Lisilia	Qui	Do.	<i>4th February.</i> —At anchor off Fokencarro, Malayta, "Lisilia" is afraid to land at Qui, on account of fighting going on, so landed him at Fokencarro at his own request.
Bg. 16. Quemy	Aosa	Do.	<i>4th February.</i> —Landed returns Bg. 16, "Quemy" and Mky. 12 "Toetarlo" at Fokencarro at their own request. "Quemy" finds his tribe, has shifted here, and "Toetarlo" is afraid to land where he recruited.
Mky. 12. Toetarlo	Assimmie	Do.	
Mky. 30. Nosy	Saladen	Do.	Mky 30. "Nosy" also landed here at his own request finding his tribe had shifted here.
Bg. 21. Taffycan	Quimanao	Do.	<i>13th February.</i> —At anchor off Qui Island. Allowed "Taffycan" to land at his own request, his tribe now being on this side of the range and not on west side where he recruited.
Bg. 20. Mandula	Quarrie	Do.	Allowed "Mandula" to go away in a canoe that came for him from Manoo with some of his tribe who have been driven over from Quarrie while fighting, so I let him go at his own request.
Mky 2. Fillyvale	Beena	Do.	<i>9th March.</i> —At anchor, Langa Langa. "Fillyvale" who belongs here, although recruited at Beena, was landed at his own request.
M. 22. Markosea	Marow	Do.	"Markosea" lands at Langa Langa at his own request finding his brother and others of his tribe residing on the small.
Bg. 11. Nehumia	Tubario	Do.	<i>15th March.</i> —About 10 miles W.N.W. of Soo. Landed at Soo, No. 11, "Nehumia" at his own request, to take care of his brother, No. 9.
Mky. 8. Pilbucca	Anchorage	Savo	<i>18th March.</i> —Under weigh E.S.E. of East Island, Florida, at 1 p.m. pulled in with the boats and landed at their own request. Returns 8 "Pilbucca," 24 "Perimaboora," and his wife, 25 "Quellie," also female child. All these intended to land at Savo, but changed their minds on receiving news here from that Island.
24. Perimaboora	Savoli	Guadalcanar	
25. Quellie, F	Anchorage	Savo	
Mky. 36. Maran	Sangan	S. Christoval	<i>10th March.</i> —At anchor in Mboli Bay, Florida. Landed 36 "Maran" at his own request, having met one of his mates, a Native of this place but who has lived some four years in San Christoval. No 36 intends to remain here some months and then return home in one of the copra traders.
Mky. 17. Araboo	Visally	Guadalcanar	<i>28th March.</i> —At anchor off Tatari, Guadalcanar. Landed at Tatari at his own request return 17 "Araboo," his brother and some of his tribe having shifted from Visally.
Mky. 33. Wappoo	Manipori	S. Christoval	<i>30th April.</i> —At anchor off Manipori, San Christoval. Landed "Wappoo" here at his own request, he belongs inland and his tribe came down for him.

Name.	Proper Village.	Island.	Extracts.
Mky. 29. Roenee	- C. Surville	- S. Christoval.	<i>3rd May.</i> —At anchor off Star Harbour, San Christoval. Landed 29 "Roenee," 32 "Oringie," 34 "Weppoo," and 35 "Towrappie," 29, 32, and 35 at Tarwarah, this being their nearest passage for their villages and 34 for inland village, Sauzan, at their own request.
Mky. 32. Oringie	- Tavalava	- "	
Mky. 34. Weppoo	- Sauzan	- "	
Mky. 35. Towrappie	- Longrano	- "	
Mky. 26. Taroapanu	- C. Surville	- "	
Mky. 27. Wabascari	- Wam Bay	- "	<i>4th May.</i> —At anchor off Star Harbour, San Christoval. Pulled into passage Navisewi, off Wano Bay, and landed Mky. 27 "Wabascari," 26 "Taroapanu," 28 "Waipongee," 26 and 28 are for Cape Surville, and prefer landing at this passage.
Mky. 28. Waipongee	- C. Surville	- "	
Mky. 38. Aovar	- Soo	- Malayta	<i>6th May.</i> —Under weigh, becalmed between Santa Anna and the mainland. Landed return 38 "Aovar" who recruited again on finding his brother had left the island. This Native of Malayta would not land at his own passage, but intended to land with some of the San Christoval men, but again changed his mind, but I am putting him down as a San Christoval man.

No. 101.

SIR H. W. NORMAN to the MARQUESS OF RIPON.
(Received July 30, 1895.)

Government House, Brisbane,
June 18, 1895.

MY LORD MARQUESS,

IN continuation of my Despatch of the 24th April last,* reporting the result of the trial of the master, Government Agent, and others serving on the Pacific Island labour vessel "William Manson," I have now the honour to enclose, for the information of your Lordship, copy of a Despatch I have received from the Acting High Commissioner of the Western Pacific, to whom I have forwarded a copy of the papers in the case.

2. I have sent a copy of Mr. Berkeley's letter to my Chief Secretary.

I have, &c.

H. W. NORMAN.

Enclosure in No. 101.

High Commissioner's Office, Western Pacific,
Suva, Fiji, June 3, 1895.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 25th April, covering report on the trial of the master, Government Agent, and other persons connected with the barque "William Manson," on a charge of kidnapping.

I agree with your Excellency's Chief Secretary that, in spite of what seems to have been in some sense a miscarriage of justice, a severe lesson has been taught to all the offenders named, as well as to the owners of the vessel; and that the proceedings which have been taken will tend to deter others engaged in the trade from attempting to violate the laws laid down for their guidance.

I also agree with Mr. Brenan in regarding as untrue and unjust the statement that what took place on board the "William Manson" is common to all labour vessels.

At the same time the proceedings of the "William Manson," as well as less serious irregularities which have occasionally been brought to light on other vessels, show that the utmost vigilance on the part of the Immigration Department is needed, and always will be needed as long as the labour traffic in the Pacific Islands continues.

I have, &c.

H. S. BERKELEY.

His Excellency
General Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor of Queensland.

No. 102.

ACTING HIGH COMMISSIONER BERKELEY to the MARQUESS OF RIPON.
(Received July 30, 1895.)

High Commissioner's Office, Western Pacific,
Suva, Fiji, June 19, 1895.

MY LORD,

REFERRING to Sir John Thurston's Despatch of the 23rd February,* with reference to the recruitment of Gilbert Islanders for employment on plantations in Queensland, I have the honour to forward copies of two Despatches on the subject, which I have received from the Governor of Queensland, together with a copy of my reply.

I have, &c.

H. S. BERKELEY.

Enclosure 1 in No. 102.

GOVERNOR of QUEENSLAND to HIGH COMMISSIONER.

Government House, Brisbane, Queensland,
May 6, 1895.

SIR,

WITH reference to Sir J. Thurston's letter of the 22nd February last on the subject of recruiting by the labour vessel "May" of Islanders from the Ellice and Gilbert groups, I have the honour to forward, for your information and consideration, copy of a letter† dated the 2nd instant from the Chief Secretary of Queensland, to whom I had referred Sir J. Thurston's letter.

2. You will observe that pending further consideration of the subject no Queensland vessel will be allowed to recruit at these islands.

I have, &c.

His Excellency the High Commissioner,
Western Pacific.

H. W. NORMAN.

Enclosure 2 in No. 102.

GOVERNOR of QUEENSLAND to HIGH COMMISSIONER.

Government House, Brisbane, Queensland.
May 8, 1895.

SIR,

IN continuation of my Despatch, addressed to your Excellency on the 6th instant, I have the honour to inform you that the following telegram has been received by the Principal Under Secretary from the Bishop of Melanesia, who was then visiting the Pacific Islanders in the Bundaberg district:—

"Gilbert and Ellice Islanders seemed happy and well at Fairymead, but could not understand conversation."

I have, &c.

His Excellency The High Commissioner,
Western Pacific.

H. W. NORMAN.

* No. 84.

† See Enclosure in No. 95.

Enclosure 3 in No. 102.

ASSISTANT HIGH COMMISSIONER to GOVERNOR of QUEENSLAND.

High Commissioner's Office, Western Pacific,
Suva, Fiji, June 6, 1895.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 6th May, covering copy of a letter from the Chief Secretary of Queensland with regard to the recruiting for employment in Queensland of Natives of the Ellice and Gilbert groups, which will be laid before the High Commissioner on his return from England in about three months time.

I am pleased to receive so favourable a report as to the health of the labourers introduced into Queensland by the "May," and would suggest that the High Commissioner be furnished from time to time, say every three months, with a report as to their health, and the precise nature of the work on which they are employed.

I enclose copies of the Gilberts Regulation, No. 5 of 1893, Part IV. of which contains the only existing provisions with regard to recruiting. These provisions are supplemented, in the case of labourers recruited for places not within Her Majesty's dominions, by the conditions of the license and the approved agreement; and in the case of labourers recruited for one of Her Majesty's Colonies by the regulations made by such colony for its own labour vessels.

I have, &c.

H. S. BERKELEY.

His Excellency

General Sir Henry W. Norman, G.C.B.

&c. &c. &c.

Governor of Queensland.

No. 103.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received August 19, 1895.)Government House, Brisbane,
July 9, 1895.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 27th May last,* in which you, for certain reasons assigned, instruct me to submit to my Ministers the expediency of stopping the recruiting of Islanders from the Ellice and Gilbert Groups until the present Islanders from those groups now in Queensland shall have been returned to their homes.

2. I have forwarded a copy of your Despatch to the Chief Secretary, but you will have already learned from my Despatch of the 4th May last,† and its enclosure, that recruiting had been stopped on those Islands pending further information and consideration.

I have, &c.

H. W. NORMAN.

P.S.—I may mention that, prior to the prohibition, that is on the 4th April last, the "Lochiel" labour vessel left Bundaberg, and I believe has recruited in the Ellice and Gilbert Islands, but is still absent.—H.W.N.

* No. 90.

† No. 95.

No. 104.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received August 19, 1895.)

Government House, Brisbane, Queensland,
July 9, 1895.

SIR,

IN continuance of my Despatch of the 18th July 1894,* I have the honour to enclose the Report on Pacific Island Immigration for the year 1894, which has been presented to the Queensland Parliament.

2. The following appear to me to be the most important facts stated in the Report :—

I. 1,859 labourers were brought into the Colony, and 803 returned to the Islands. Of those who came, 84 were females, and 85 females returned.

II. Of the 1,859 labourers introduced during the year, 436 have been previously employed in Queensland, and 120 have been employed elsewhere out of their own Islands.

III. It is stated to be impossible to give with complete accuracy the number of Islanders in Queensland, but it is estimated that there are 7,853, which gives an increase of 364 since the 1st January 1894.

IV. The mortality for the year 1894 is less by about seven per thousand than the mortality of 1893, although some dysentery again appears to have been brought into Queensland by the labour vessel "Rio Loge."

V. The number of savings bank accounts of the Islanders has increased from 1,726 to 2,260, and the amount deposited has risen from 14,819*l.* to 15,173*l.*

3. As shown in the correspondence last referred to in my Despatch of this date,† recruiting which had commenced in the Ellice and Gilbert groups of Islands has for the present been stopped.

I have, &c.

H. W. NORMAN.

Enclosure in No. 104.

PACIFIC ISLAND IMMIGRATION.

(ANNUAL REPORT OF DEPARTMENT OF, FOR 1894.)

TO THE PRINCIPAL UNDER-SECRETARY, BRISBANE.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
April 30, 1895.

SIR,

FOR the information of the Honourable the Chief Secretary, I have the honour to present a Report upon the working of this Department during the year ending 31st December 1894.

1.—RECRUITING OF LABOURERS.

The number of vessels engaged in the trade has been 12, of a total registered capacity of 2,435 tons, and possessing certified accommodation for 1,624 labourers. They were owned as follows :—

	No. of Ships.	Tonnage.	Accommodation.
Brisbane - - - - -	2	618	372
Maryborough - - - - -	2	313	243
Bundaberg - - - - -	5	954	621
Townsville - - - - -	2	450	309
Cairns - - - - -	1	100	79
Total - - - - -	12	2,435	1,624

At the 1st January 1894 the vessels in the trade numbered 10 ; two were added during the year, and one was wrecked, leaving at 31st December 1894, 11.

* No. 59.

† No. 103.

Twenty-two vessels, of an aggregate tonnage of 4,497 tons, have arrived, bringing 1,859 labourers—viz., 1,775 males and 84 females. Of these, 436 have been previously employed in Queensland, 55 in Samoa, 24 in Fiji, 15 in Nouméa, nine in Sandwich, three respectively in Sydney, Ambrym, and Lacona, two in Honolulu, and one each in New Caledonia, Mallicolo, Aneiteum, Api, Vila Harbour, and Norfolk Island. The groups from which they hailed were :—

New Hebrides	-	-	-	-	-	-	631
Banks	-	-	-	-	-	-	95
Torres	-	-	-	-	-	-	80
Solomon	-	-	-	-	-	-	945
Santa Cruz	-	-	-	-	-	-	108
Total	-	-	-	-	-	-	<u>1,859</u>

And were introduced for labour in the following districts :—

Maryborough	-	-	-	-	-	328
Bundaberg	-	-	-	-	-	811
Mackay	-	-	-	-	-	185
Townsville	-	-	-	-	-	147
Ingham	-	-	-	-	-	299
Cairns	-	-	-	-	-	89
Total	-	-	-	-	-	<u>1,859</u>

The time occupied in the voyages was from 74 to 175 days, the average being 128 days.

One casualty occurred amongst the shipping engaged in the trade during the year, the "Ariel" having been totally wrecked on Santa Catalina Reef. There were no lives lost. The recruits (50) and unlanded returns (10) were brought to Queensland in the "Thistle" on the 14th of June.

The vessels despatched as under obtained labourers for the districts named :—

Brisbane	-	For Mackay and Ingham.
Maryborough	-	For Maryborough, Bundaberg, Mackay, and Cairns.
Bundaberg	-	For Bundaberg and Maryborough.
Mackay	-	For Bundaberg and Mackay.
Townsville	-	For Townsville.
Cairns	-	For Cairns.

Recruiting has been carried on with but little opposition. In a few instances boats were fired upon, without harm being done. Upon the arrival of one ship, the "William Manson," on the 18th of October last, charges of kidnapping were brought against the Government Agent, master, chief mate, and four of the crew. One of the seamen became Queen's evidence, and the trial upon one charge has since taken place at the Supreme Court, all the prisoners being found "not guilty." The other charges were not proceeded with.

The Natives alleged to have been kidnapped and otherwise illegally recruited have since been returned to their homes.

The Government Agent has been dismissed from the public service, and the master, officers, and whole crew of the vessel, have been debarred from employment in the labour trade.

2.—DEPARTURE OF LABOURERS.

The total number of Islanders who returned to their islands during the year was 803—718 males and 85 females. They were carried by 20 ships. The greatest number taken by a ship was 191, and the smallest 1, the average being 40. The following are the groups of islands to which these people belonged :—

New Hebrides	-	-	-	-	-	371
Banks	-	-	-	-	-	89
Torres	-	-	-	-	-	1
Solomon	-	-	-	-	-	341
New Ireland	-	-	-	-	-	1
Total	-	-	-	-	-	<u>803</u>

3.—MORTALITY.

The reports show a decrease of 36 in the number of deaths as compared with the previous year, notwithstanding that dysentery appears to have been again introduced by one of the labour vessels ("Rio Loge"), and 10 of the deaths recorded arose from that cause. The disease was brought into the ship at Api, and afterwards broke out at Mon Repos, in the Bundaberg district, where it gave a great deal of trouble in spite of every effort to stamp it out.

The deaths reported to the Department for the past two years are as follow :—

District.	1893.		1894.	
	Population.	No. of Deaths.	Population.	No. of Deaths.
Brisbane-- Beenleigh - - -	257	10	245	19
Maryborough - - -	767	7	725	7
Bundaberg - - -	2,676	181	2,777	175
Rockhampton - - -	168	5	150	10
Mackay - - -	2,081	74	2,168	55
Bowen - - -	15	—	27	1
Townsville - - -	369	9	399	19
Ingham - - -	530	32	760	12
Geraldton - - -	299	34	297	19
Cairns - - -	127	1	171	1
Port Douglas - - -	—	—	34	—
Thursday Island and other places	200	2	100	1
	7,489	355	7,853	319

Total death rate, 21·06, 1893.

Total death rate, 24·6, 1894.

PAYMENT TO RELATIVES OF ISLANDERS WHO HAVE DIED DURING THEIR TERM OF SERVICE.

No money has been authorised to be expended during the year under section 6 and regulation 46 of the Pacific Island Labourers (Extension) Act of 1892, because reports received from seven Government Agents were unfavourable to the sending of this money to the islands on account of the difficulty, almost amounting to impossibility, in identifying the people who ought to receive it. (See my Report dated 25th July last.)

4.—LABOURERS WITHIN THE COLONY.

It is impossible to give the exact number of Pacific Islanders in the Colony, as many of them rove about when their agreements are completed, and travel beyond the range of inspectors, who are consequently unable to include them in their annual return.

The number of Islanders in the respective districts, from estimates compiled by the resident Inspectors, as at 1st January 1895, was as follows :—

— — —	1894.	As compared with previous Year.	
		Increase.	Decrease.
Brisbane (say) - - - -	150	—	—
Beenleigh - - - -	95	—	12
Maryborough - - - -	725	—	42
Bundaberg - - - -	2,777	101	—
Rockhampton - - - -	150	18	—
Mackay - - - -	2,168	87	—
Bowen - - - -	27	12	—
Townsville - - - -	399	30	—
Ingham - - - -	760	230	—
Geraldton - - - -	297	2	—
Cairns - - - -	171	44	—
Port Douglas - - - -	34	—	—
*Thursday Island - - -	100	—	100
	7,853	524	154

1st January 1894 - - - - 7,489

Increase - - - - 364

1st January 1895 - - - - 7,853

These Returns include "exempts," those under "agreement," and those "walking about."

As affording some idea of the number of agreements entered into by Islanders, and the work thereupon devolving on the respective inspectors, a Schedule of Agreements made during the year is given herewith :—

District.	New Introductions.		Re-agreements.		Transfers.		Total.	
	Sets.	Names.	Sets.	Names.	Sets.	Names.	Sets.	Names.
†Brisbane	30	454	15	34	—	—	45	488
Beenleigh	—	—	19	30	—	—	19	30
Maryborough	14	294	180	283	—	—	194	577
Bundaberg	67	663	1,064	2,159	12	94	1,143	2,916
Rockhampton	—	—	46	113	—	—	46	113
Mackay	21	159	725	1,588	2	5	748	1,752
Bowen	—	—	4	4	—	—	4	4
Townsville	7	185	47	223	—	—	54	408
Ingham	—	—	182	471	—	—	182	471
Geraldton	—	—	95	134	—	—	95	134
Cairns	—	—	11	90	—	—	11	90
Port Douglas	—	—	7	10	—	—	7	10
	139	1,755	2,395	5,139	14	99	2,548	6,993

* Engaged in Bêche-de-mer and pearl-shell fisheries.

† These include agreements made through head office for labour in other districts, viz. :—

Beenleigh	6
Bundaberg	3
Mackay	290
Ingham	109
Geraldton	62
	470

	Sets.	Names.
Agreements entered upon, 1893	1,881	5,171
" " " 1894	2,548	6,993
Increase for 1894	667	1,822

There were 774 employers of Islanders registered during the year, being an increase of 205 on the year 1893, as shown hereunder.—

District.	1893.	1894.	Increase.	Decrease.
Beenleigh and Brisbane	18	10	—	8
Maryborough	90	113	23	—
Bundaberg	172	259	87	—
Rockhampton	4	6	2	—
Mackay	208	283	1	—
Bowen	3	4	75	—
Townsville	7	13	6	—
Ingham	55	48	—	7
Geraldton	11	28	17	—
Cairns	1	5	4	—
Port Douglas	—	5	5	—
	569	774	220	15

Facilities are afforded Islanders to place their money in the Government Savings Bank through the inspectors. On reference to Appendix B., it will be seen that in this way a sum of 15,173*l.* 6*s.* 5*d.* was in the bank at 31st December 1894, to the credit of 2,260 Islanders.

5.—THE STAFF OF THE DEPARTMENT.

Consisted of the following :—

The Immigration Agent—Officer in Charge.
 One Clerk and Assistant Inspector, and
 Two Clerks in Chief Office, Brisbane.
 Four Inspectors—viz., Maryborough, Bundaberg, Mackay, and Townsville.
 One Travelling Inspector.
 Two Clerks and Assistant Inspectors—1 each at Bundaberg and Mackay.
 One Clerk, Bundaberg.
 Twelve Government Agents.

The Government Agents are all on the permanent staff. At the beginning of the year there were on the roll, 10; 24th January, services dispensed with, 1; appointed during the year, 3; at 31st December 1894, 12 were on the roll.

6.—THE PACIFIC ISLANDERS' FUND.

A summary of the operations of this fund will be found on Appendix A. The net increase of the fund during the year amounts to 1,534*l.* 13*s.* 2*d.*, and arises as follows :—

	£	s.	d.	£	s.	d.
Balance on return passage account	-	2,255	0 0			
Deceased Islanders' estates	-	973	15 7			
Fines	-	27	13 6			
Sundries	-	39	7 11			
				3,295	17	0

Less—

Introduction fees fell short of the amount of general expenses by	-	-	-	-	1,761	3 10
Net increase	-	-	-	-	1,534	13 2

The ledger balances stand as follows :—

Cr.

	£	s.	d.	£	s.	d.
Return passages	-	31,723	10 6			
Deceased Islanders' estates	-	31,055	1 10			
Fines	-	752	19 6			
				63,531	11	10

Dr.

General purposes	-	13,666	9 3			
Hospitals	-	21,530	0 10			
				35,196	10	1
Balance on 31st December 1894	-	-	-	28,335	1	9

I have, &c.

J. O'N. BRENNAN,
 Immigration Agent.

APPENDIX A.

SUMMARY of OPERATIONS of the PACIFIC ISLANDERS' FUND for the Year ending 31st December, 1894.

RECEIPTS.				EXPENDITURE.									
	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.
Balance at 31st December 1893 - - -	-	-	-	-	-	-	26,800	8	7		Salaries—		
Return passages	4,680	0	0								Head Office and inspectors - - -	2,507	16 10
Less refunds	2,425	0	0								Government Agents -	2,745	0 10
				2,255	0	0					Messenger - - -	44	10 0
Deceased Islanders' estates - - -	12,555	17	0										5,297 7 8
Less payments	282	1	5								Contingencies—		
				973	15	7					Inspectors' expenses, forage, &c. - - -	359	13 4
Capitation money	7,686	0	0								Government Agents' expenses - - -	57	2 0
Less refunds	2,718	0	0								Care destitute Islanders - - -	126	12 6
				4,968	0	0					Postage - - -	72	10 4
Fines - - -	32	3	6								Court cases and inquiries - - -	68	0 10
Less payments	4	10	0								Compensation, Messrs. Wood, Bros., and Boyd - - -	300	0 0
				27	13	6					Return passages "Foam" Islanders -	140	0 0
Hospitals (sale of effects)	10	15	0								Arms and ammunition, &c. - - -	11	6 6
				10	15	0					Clerical assistance - - -	40	17 6
Depôt accounts - - -	20	7	8								Miscellaneous - - -	69	17 0
				20	7	8					Unforeseen (Government Agents' salaries) - - -	185	16 2
Sundries - - -	3	5	3										1,431 16 2
				8	5	3							6,729 3 10
							8,263	17	0				
											Balance at credit on 31st December 1894 - - -		28,335 1 9
													35,064 5 7
							35,064	5	7				35,064 5 7

APPENDIX
SUMMARY OF SAVINGS BANK OPERATIONS OF PACIFIC ISLANDERS for the Year 1894.

	Brisbane.	Beenleigh.	Maryborough.	Rundaberg.	Rockhampton.	Mackay.	Townsville.	Ingham.	Geraldton.	Cairns.	Totals.
	£ s. d. *179	£ s. d. *110	£ s. d. *98	£ s. d. *546	£ s. d. *62	£ s. d. *437	£ s. d. *51	£ s. d. *170	£ s. d. *30	£ s. d. *43	£ s. d. *1,726
Balance at 31st December 1893	3,178 5 6	1,290 5 7	985 16 10	2,923 1 3	1,093 9 0	3,582 6 9	356 14 10	996 7 8	235 12 4	177 12 11	14,819 12 8
Received from Islanders and lodged in Bank during the year.	612 3 0	303 8 2	234 17 10	1,694 2 8	245 13 9	1,683 5 1	169 9 4	1,209 4 9	400 5 8	75 9 0	6,627 19 3
Withdrawn from Bank and paid to Islanders during the year.	†779 11 1	†262 6 4	†348 15 10	911 3 11	†253 3 8	†2,592 5 1	169 5 3	688 10 11	120 2 0	†159 1 5	6,274 5 6
Difference - - -	167 8 1	41 1 10	113 18 0	782 18 9	7 9 11	909 0 0	10 4 1	520 13 10	280 3 8	83 12 5	353 13 9
Balance on 31st December 1894	*195 3,010 17 5	*124 1,331 7 5	*100 871 18 10	*795 3,706 0 0	*59 1,085 19 1	*565 2,673 6 9	*74 366 18 11	*195 1,517 1 6	*122 515 16 0	*31 94 0 6	*2,260 15,173 6 5

* These figures indicate the number of current accounts.

† In these cases the withdrawals have exceeded the deposits.

No. 105.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received August 26, 1895.)

Government House, Brisbane,

SIR, July 16, 1895.

IN continuation of my Despatches, dated 9th instant,* I have now the honour to enclose herewith, for your information, copy of a letter from the Chief Secretary of Queensland, repeating the assurance contained in his letter of the 2nd May last,† that, pending further information and consideration, no Queensland vessel would be allowed to recruit at the Gilbert and Ellice Groups, and that effect will be given to the wish expressed by Lord Ripon for the suspension of further recruiting from those groups until the Gilbert and Ellice Islanders now in the Colony have been restored to their homes.

I have, &c.

H. W. NORMAN.

Enclosure in No. 105.

Chief Secretary's Office, Brisbane,

July 12, 1895.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 9th instant, forwarding copy of a Despatch from the Marquis of Ripon (then Secretary of State for the Colonies) dated the 27th of May 1895, in which the expediency is submitted of suspending all further recruiting from the Gilbert and Ellice Islands, which are now under the protection of the British Crown, until the recruits at present in this Colony are returned home.

In reply, I desire to repeat to your Excellency the assurance contained in my letter of the 2nd May last on this subject, that, pending further information and consideration, no Queensland vessel would be allowed to recruit at the Gilbert and Ellice Groups, and to add that effect will be given to the wish expressed by Lord Ripon for the suspension of further recruiting from those groups until the Gilbert and Ellice Islanders now in the Colony have been restored to their homes.

I have, &c.

His Excellency

HORACE TOZER,

Sir Henry W. Norman, G.C.B., &c.,
Governor.

For the Premier.

No. 106.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received September 4, 1895.)

Government House, Brisbane, Queensland.

July 23, 1895.

SIR,

IN continuation of my Queensland Despatch dated 16th instant,‡ I have now the honour to submit, for your information, copy of a letter dated the 20th instant from the Chief Secretary of Queensland, covering a letter, dated the 9th instant, addressed to the Immigration Department by the Inspector of Pacific Islanders at Bundaberg, reporting upon the condition of the Natives of the Gilbert and Ellice Islands in his district, who are the only Islanders from these groups employed in the colony of Queensland.

I have, &c.

H. W. NORMAN.

* Nos. 103 and 104.

† See Queensland Despatch, 4th May 1895 (No. 95).

‡ No. 105.

Enclosure in No. 106.

Chief Secretary's Office, Brisbane,
July 20, 1895.

Sir,

I have the honour to enclose, for your Excellency's information, a copy of a letter dated the 9th instant addressed to the Immigration Department by the Inspector of Pacific Islanders at Bundaberg, reporting upon the condition of the Natives of the Gilbert and Ellice Islands in his district, who are the only Islanders from these groups employed in the Colony.

With regard to the three Islanders mentioned in the Report as having been returned to their islands, I have ascertained from the Department that one of them was a woman who was suffering from erotomania, and who was sent back in charge of her husband, and the other a recruit who was rejected by the medical officer at Bundaberg as being unfit for work. All these were returned by the "Lochiel" in April last.

I have, &c.

HORACE TOZER.

His Excellency

Sir Henry W. Norman. G.C.B., &c.
Governor.

Sir,

Bundaberg, July 9, 1895.

In accordance with your instructions under date the 26th ultimo, I have now the honour to report upon the condition of the seventy-four (74) Gilbert and Ellice Group Islanders who arrived in this port on the 25th January last by the "May."

These people with the exception of one (1) male Gilbert Islander were placed under agreement to the Messrs. A. H. and G. Young, of Fairymead Plantation; they fully understood the nature of the contract and some indeed insisted that they had been advised that a more liberal issue of clothing would be made (the present is a liberal issue); I gave them the option of accepting or returning home when they at once signed on.

Health.—There has been only one death and that through dysentery, a disease that usually runs through a body of new arrivals with great mortality; those people, being a superior race, are much more easily treated when ill, and show every desire to protect their health; one (1) Gilbert female was returned home by the "Lochiel" in April last, and was accompanied by her husband who, I understand, intends returning to this Colony; a rejected Gilbert male Islander also returned in the "Lochiel"; there are thus seventy (70) left under agreement.

Nature of work.—They are employed in the carrying out of all work in connection with sugar cultivation, no difference being made between them and those natives of other groups: when last inspected by myself a part of them were chipping, and part stumping new ground, they are cheerful in disposition, willing workers, and quick tempered.

Educational.—As a body they are eager seekers and apt learners, and attend the daily classes with regularity, more especially the Ellice Group Islanders; their employers are now ordering for their use a supply of Bibles printed in their own language.

Inspection.—I have examined them searchingly as to any complaints and am pleased to be able to state that they have none to make and seem thoroughly happy and contented.

I have, &c.

H. ST. GEO. CAULFEILD,
I.P.I.

To the Immigration Agent,
Brisbane.

No. 107.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received September 14, 1895.)

Government House, Brisbane, Queensland,
August 5, 1895.

SIR,

IN continuation of my Despatch of 19th April last,* in which I forwarded, for your consideration, copies of certain documents respecting the labour vessel "Helena," I have now the honour to transmit copies of reports (2) which have been furnished by the Immigration Department respecting her recent voyage.

2. I would call your attention to the irregularity committed by the Government Agent in recruiting three women, and to the remarks of the Chief Secretary in his letter of the 1st August, which forms one of the enclosures.

I have, &c.

H. W. NORMAN.

Enclosure 1 in No. 107.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,
July 12, 1895.

SIR,

THE return of the labour ship "Helena" to Bundaberg on the 15th ultimo affords me the honour of reporting upon her recent and 29th voyage under the Pacific Island Labour Acts.

The ship was certified to have had sufficient accommodation for ninety (90) labourers, and licenses were granted to enable the master to recruit that number for seven employers in the Bundaberg district.

W. R. Reynolds was the master and Mr. F. Gooding the Government Agent.

The ship left Bundaberg on the 24th of March last, having eighty-seven (87) returning islanders on board, viz., 75 males and 12 females, also 4 male and 4 female children.

All the returning islanders were landed at their proper villages or landing places with the exception of two, landed elsewhere at their own request. See Appendix A.

Recruiting commenced at Aoba on the 9th of April, and was prosecuted in the New Hebrides group, finishing at Nelson's Bay on the 4th of June, having occupied 57 days, during which period eighty-nine (89) recruits were obtained, 81 males and 8 females.

On the 20th of April the boats were fired upon; no damage was done. See Appendix B, and special report thereon from the Government Agent attached hereto.

On the 22nd of April recruit No. 28 "Tamwah" F. was found to be suffering so badly from venereal that it was decided to return her to the shore, and she was therefore landed at her passage on the 24th. See Appendix C.

On the 7th of June the vessel took her departure from Mallicolo for Queensland, carrying 88 recruits who were brought from the New Hebrides group, including—

18 previously employed in Queensland.

1	"	"	Samoa.
3	"	"	Noumea.
1	"	"	Sandwich.
1	"	"	Fiji.

The health officer passed all the islanders excepting—

No. 23, suffering from enlarged inguinal glands;

No. 27, sore on vulva;

No. 75, umbilical hernia;

No. 89, Abdominal tumours;

who were rejected.

The Government Agent reports—

I have no complaints to make, everything having been carried out satisfactorily.

I enclose herewith tracing of the course of the ship showing places where islanders were landed and recruited.

The Principal Under Secretary,
Brisbane.

I have, &c.

J. O'N BRENNAN.

Immigration Agent.

P.S.—The manner of recruiting three women at Aoba, one of whom is referred to herein as having been landed again, has assumed an aspect requiring a special report. This will reach you in the course of a few days.

J. O'N. B.

APPENDIX A.

EXTRACT from the GOVERNMENT AGENT'S LOG relating to ISLANDERS landed elsewhere than at their own VILLAGES at their own request during the VOYAGE of the "HELENA."

Name.	Proper Village.	Island.	Extracts.
No. 8 "Sonlay"	F. Carowa	New Ireland	1895. 2nd May.—Anchored at Dip Point, Ambrym, 4 p.m. Landed two males and two children. No. 8 "Tarsil," 7 "Dinawing" and two children. "Dinawing's" wife, with her baby, wishes to be landed in the morning; she is a New Ireland woman and rather timid about landing in the evening. 3rd May.—"Dinaway" came off to the ship in a canoe this morning and we landed him and his wife No. 8 "Sonlay" and child at the Mission Station.
64 "Charcole"	Nadoot	Malo	30th May.—Anchored at Muna Island. Landed 64 "Charcole," who is a Malo boy, but was landed at Sandwich at his own request.

APPENDIX B.

EXTRACT from the GOVERNMENT AGENT'S LOG *re* NATIVES firing on the "HELENA'S" BOATS.

20.4.95. Off Walurigi, Aoba.—Boats left for a smoke 9 a.m. and returned at 11, when the ship was getting under way, with three female recruits, women belonging to three boys recruited yesterday, 26 "Whyate," wife of No. 24; 27 "Aroo-home," wife of 25; 28 "Tamwah," wife of 23.

3 p.m.—Lowered the boats for a smoke at the red cliff close to the point south of Walurigi, on our nearing the place we saw two or three boys on the cliff who disappeared and would not speak to us, but, on our leaving, two shots were fired at the second boat, the balls passing over our heads; the direction was good but a little high, the bullets striking the water a few feet beyond the boat; we returned the fire until we got out of range, when we pulled back to the ship and proceeded to Dooindooey.

APPENDIX C.

EXTRACT from the GOVERNMENT AGENT'S LOG, *re* landing a diseased RECRUIT during VOYAGE of the "HELENA."

22.4.95.—Anchored at Dooindooey, Aoba. We discovered this morning that the female recruit, No. 28 "Tamwah" is suffering from venereal, in fact, so bad that we decided to land her again the first opportunity.

24.4.95.—C off north end Pentecost. Boats left and landed the female recruit 28 "Tamwah."

SPECIAL REPORT referred to on Page 2.

SIR,

Sandgate, June 26, 1895.

IN connection with the firing on the "Helena's" boats at Aoba on April 20th, I have the honour to further report that, whilst the vessel was working along the coast, we observed a smoke on the red cliff close to the point projecting south of Walurigi, which is usual when Natives want the boat; at 3 p.m. we lowered the boats and pulled to the smoke, the vessel laying to; on nearing the place we saw two or three boys on the rocks who disappeared and would not speak to us, the first boat being close in shore and my boat about 150 yards off. On our leaving, two shots were fired simultaneously at my boat, the balls passing over our heads, striking the water a few feet beyond the boat; we returned the fire by firing into the scrub around the smoke, until we got out of range; when we neither saw nor heard any more of them, we pulled to the ship.

I cannot account for the firing in any way other than, when about two miles from the place two days previous, on the 18th, we noticed some boys that had just returned from Samoa on the beach with new rifles, also a number of Natives that had been drinking kava to excess and appeared half drunk.

There has been no unpleasantness on our part to cause them to do such a malicious act.

It can have nothing whatever to do with the three female recruits got in the morning, the two places must be at least eight miles apart, and they could not possibly have travelled the distance even if they had chosen to have done so.

Having stated all particulars connected with the case,

I remain, &c.

To the Immigration Agent, **FRANK GOODING.**
Brisbane. (Government Agent "Helena").

Enclosure 2 in No. 107.

Chief Secretary's Office, Brisbane,

SIR,

August 1, 1895.

IN continuation of my letter of the 23rd ultimo, enclosing a copy of the Report of the Immigration Department on the late voyage of the labour vessel "Helena," I have now the honour to forward a copy of the special report, therein promised, upon the recruiting by that vessel of three native women at Aoba on the 20th of April last.

I have perused the whole of the evidence taken at the inquiry referred to in Mr. Brennan's letter, and, although it is true that a breach of the regulations was committed by the Government Agent in failing to obtain the Chief's consent to the recruiting of these women, there is no evidence that they were recruited against their will, while there is every reason to believe that they were free agents in the matter. The irregularity, however, arises from the fact that, as has been clearly ascertained, they were not the wives of the men whom they claimed as their husbands when recruited.

Neither the Act nor regulations will admit of my imposing a fine for such an offence, were I so disposed to do, but as I have satisfied myself that the irregularity was not wilful I have decided to severely censure the three officers concerned, and to inform them that any irregularity in the future will, as regards the Government Agent, be followed by summary dismissal, and in the case of the other two by a prohibition from future employment in the island labour trade.

The two women who were brought to the Colony by the "Helena," will be sent back to their native island by the first boat on the berth.

I have, &c.

HUGH M. NELSON.

His Excellency
Sir Henry W. Norman, G.C.B.,
&c. &c. &c.
Governor.

Department of Immigration,
Pacific Island Labour Branch, Brisbane,

July 18, 1895.

SIR,

I HAVE the honour to forward, for your information, evidence taken with reference to the recruiting of three women named "Tamwah," "Arroohomo," and "Wyrule," at Aoba, on the 20th April last by the "Helena," referred to in my report of the ship's arrival.

These women were recruited as the wives of three recruits obtained at the same place on the previous day, named "Boyparra," "Foosey," and "Dranda." One of the women "Tamwah" was landed two days after she was recruited, it having been discovered that she was suffering from venereal. Her reputed husband was also suffering, but he was not very bad and did not want to go ashore, so was kept on board and cured before the ship reached the colony.

The witnesses examined were—

Boyparra, M.	} Recruits.
Foosey, M.	
Aroohomo, F.	
Dranda, M.	
Wyrule, F.	} Boat's crew.
Howyer	
Tomaling	
Reynolds, W. R. Master, "Helena."	
Peter Penfold, Recruiter,	
Frank Gooding, Government Agent.	

What gave rise principally to my making special inquiry in this case was the fact that it was not shown in the ship's papers that the usual consent in accordance with Regulation 32 had been obtained. It also struck me that the fring upon the boats on the day these women were recruited was suspicious, in this latter, however, I am satisfied there is nothing, and that it was simply a mischievous act committed with no particular object.

I am also satisfied from the evidence and my previous knowledge of the Government Agent, that the latter was innocent of any intent to do wrong, but was deceived into the belief that the women were the proper wives of the men he had the previous day recruited by listening to the representations of the Natives on shore and a white trader, instead of keeping strictly to the letter of his regulations.

The Aoba people are full of tricks and dangerous to deal with, their women are nearly if not all, prostitutes, and, with or without the Chief's consent, are probably brought, when they do come to Queensland, for the purposes of prostitution alone.

I therefore submit that it is scarcely worth while going into the question of whether these particular women are the wives of the men whom they claimed as their husbands when recruited.

It is admitted they were recruited regardless of Regulation 32 and it is for the Minister to say whether they shall remain in the Colony or go home. I recommend the latter course.

Mr. Gooding, the Government Agent, is guilty of having used discretion when the Regulation is definite and purposely strict. He is a good officer and in this case gave his evidence openly with no attempt to hide anything.

Whatever punishment the Minister may be pleased to direct, I respectfully submit should also be shared by the master (Reynolds) and the recruiter (Penfold), it is just as much their business to obey the law as it is the Government Agent's and they know it well.

I venture to suggest that each of them be fined, and warned that any future offence by them against the Act will be severely dealt with.

I attach an extract from the log where these people were recruited.*

I have, &c.

The Principal Under Secretary,
Brisbane.

J. O'N. BRENNAN,
Immigration Agent.

* See Appendix B.

No. 108.

SIR H. W. NORMAN to MR. CHAMBERLAIN.
(Received September 24, 1895.)

Government House, Brisbane,
Queensland, August 14, 1895.

SIR,

IN the fourth paragraph of my Despatch of the 4th May,* I promised to send copy of any report that might reach me from the Bishop of Melanesia, who was then in Queensland, upon the condition of the Gilbert and Ellice Islanders who had been brought to this colony to work on sugar plantations.

2. No special report has been made by the Bishop on these islanders, but he sent a memorandum and a letter on the subject of Pacific Island labour in Queensland generally to the Principal Under Secretary and to the Premier respectively. The Chief Secretary sent these documents to me for perusal, and, at my request, he has made certain observations upon them. I now enclose, for your information, copy of Mr. Nelson's letter dated the 1st instant, and copy of the documents to which it refers.

3. The Chief Secretary has dealt very exhaustively with the points adverted to by Bishop Wilson, and you will see that, as respects sale of alcoholic liquors to the islanders, which is forbidden by law under a penalty, the Government are prepared to consider the propriety of so amending the law as to admit of heavier punishment for this offence. The Chief Secretary, it will be seen, thinks it unlikely that the use of opium by the Kanakas can, for the reasons stated by him, ever become other than exceptional.

4. On the other points discussed I agree generally with the Chief Secretary; and as to education I am very doubtful whether any system controlled by the Government of Queensland could be as effective and successful to those who could come under its operation as the voluntary and Christianising influence now brought to bear by missionaries or by schools supported by contributions or maintained by ladies and others. I have been much struck with the excellent instruction given in various parts of the great sugar districts of Bundaberg and Mackay, and I think that Bishop Wilson altogether fails to do justice to the very good work that has been accomplished and is in progress in this direction.

5. The mortality of the islanders in Queensland is to be regretted, and they appear to me to be very susceptible to lung and some other diseases, but it has never been proved that the mortality is less in their own islands, where indeed, I believe, there are instances of almost entire disappearance of communities from which labourers have not been taken. Certainly they are almost invariably well treated here and well fed, while the large proportion who return to Queensland for a second or a third term of service is proof that they do not dislike the colony or the work they have to perform.

5. It does not seem necessary to add anything more to the Chief Secretary's remarks.

I have, &c.

H. W. NORMAN.

Enclosures in No. 108.

Chief Secretary's Office,
Brisbane, August 1, 1895.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 11th ultimo, requesting to be furnished with further copies of the two communications on the question of the Pacific Island labour trade, which have been received from the Bishop of Melanesia, and of which copies were enclosed in my letter to your Excellency dated the 4th ultimo.

I do not think it necessary for the purpose of comment to take these communications separately, as the letter addressed to myself is in the main a re-statement, from the special point of view of the missionary, of the arguments against the labour trade more precisely set forth in Bishop Wilson's memorandum to the Principal Under Secretary, with the addition of an outline of a proposed plan for the education of the islanders while in the colony, to which I shall advert under its proper heading in the memorandum.

* No. 95.

In the latter document the Bishop states that, in his opinion, two wrongs are unintentionally committed by the operation of the trade, namely, the decivilisation of the islanders, and the depopulation of the islands.

The decivilising agencies are specified as: (1) the facility with which alcoholic liquor may be procured by the islanders from the "low whites" with whom they associate, the penalty of 5*l.* being insufficient to prevent the sale; (2) the large consumption of opium and opium charcoal, which is bought from the Chinese; and (3) the inadequate provision for the education of the islanders.

The depopulation of the islands is attributed to (1) the want of discrimination in the selection of islands from which to recruit; (2) the effects of the long voyage upon the health of the recruits; and (3) the high death-rate among the Polynesians in the colony.

I shall take these several points in the order in which they are given in the memorandum.

The sale of alcoholic liquors to Pacific Islanders is forbidden, under penalty, by law, and in every instance in which information is given of the infringement of the prohibition, action is taken for the conviction and punishment of the offender. The frequent violation of the law in this respect has, however, been under the attention of the Government, and they are prepared to consider the advisableness of so amending the liquor laws as to admit of heavier punishment for this offence.

My information does not furnish reason to believe that opium is extensively used among the Pacific Islanders in the colony. It may be admitted that small supplies of opium find their way into the hands of the aboriginal natives in certain districts, but, owing to the severe restrictions imposed by the Legislature upon the sale of the drug, the difficulty of procuring it in any quantity is so great as to render it very unlikely that instances of its use can ever become other than exceptional.

I am inclined to think that the Bishop has confused the Kanaka with the aboriginal native, and am fortified in this opinion by his reference to the practice of using opium as obtaining more particularly in the country districts, where, in point of fact, the employment of islanders is the exception rather than the rule.

The Government has made no provision for the school education of the Pacific Island labourers, but sufficient is being done by their employers and by local missionary effort in the way of both their secular and religious education to throw upon the opponents of the trade the onus of proving that the same men would have enjoyed greater opportunities of improvement had they remained in their native islands. From information which I have received from the Immigration Department respecting the provision made by Church missions and other agencies in the two districts where Polynesian Labourers are most largely employed, it appears that in the Bundaberg district there are three missionaries and six established schools, with an attendance of 1,200, while in the Mackay district there are fifteen schools with an attendance of over 1,000, and three new schools are about to be opened. Further particulars of the work being done in the way of religious instruction in the latter district may be found in the enclosed extract from the report of a committee of missions to Kanakas presented to the Presbyterian General Assembly held in May last. The information from these sources, partial though it is, should be sufficient to show that the introduction of Pacific Islanders into Queensland does not by any means involve their removal from educational and Christianising influences.

The Government, however, are prepared to consider any practicable scheme for extending the present schools which may be presented in detailed form by Bishop Wilson, provided the expenditure would not be too heavy a tax on the Pacific Islanders' Fund. The plan suggested by him in his letter of 23rd May is not adapted to the circumstances of the case, as it is obvious that any schools established for Polynesian labourers must be night schools, and can only be carried on where islanders are employed in considerable numbers, and where the plantations are not scattered over too great an area. It would be necessary, moreover, that these night schools should be maintained on the plantations, so as to prevent attendance at school becoming a means of creating facilities for obtaining intoxicating liquor.

To discuss the question of the depopulation of the islands through taking recruits wherever, within the area prescribed by the Government, men are found both willing to engage and fit for the work required, would be to admit that the only practicable way in which the trade can be carried on is open to objection. From time to time, for special reasons, as in the case of Santa Cruz, certain islands are prohibited to be used as recruiting grounds, but it would be impossible to extend such prohibition to the islands specified by Bishop Wilson without considerably restricting the operations of the Act.

I cannot agree with Bishop Wilson in the opinion that the health of the recruits suffers from the effects of the voyage. The reports of the Immigration Department and of the

Medical Officers testify, on the contrary, to the generally healthy condition of the arrivals, and facts are wanting to justify the opinion that such diseases as they may subsequently contract are largely due to the conditions of life during the voyage.

The death-rate of Pacific Islanders in Queensland is admittedly high compared with that of the white population, but this point cannot be satisfactorily discussed in the absence of any statistics as to the death-rate in the islands, which, if calculated for a period of years so as to include the mortality from epidemics, would probably also compare very unfavourably with that of our white population. I may state, however, that, as the result of increased experience as to the dieting and general treatment of the islanders, the death-rate is steadily diminishing, while the large numbers of them who re-engage in preference to returning home is sufficient to show that the mortality among their companions is not such as to inspire the survivors with any fear of remaining in the colony.

As regards the recommendation that the State should take the labour trade into its own hands, and should appoint an officer to act as Government agent on the islands, I have to inform your Excellency that the Government do not consider that it is the function of the State to provide labour for private employers, though they may legalise and condition certain methods of obtaining it, and that, in their opinion, the regulations under which recruiting is now conducted, if carried out with the strictness to which the Government is pledged, will prevent the provisions of the Act being in any way infringed, and so render unnecessary, as it is otherwise undesirable, the appointment of an officer whose powers could with difficulty be defined, and whose relations towards communities without any civilised government would be of the most uncertain nature.

There is no serious ground for the complaint that when islanders are ready to return it frequently happens that there is no vessel to take them. Very little delay in such cases really occurs. It is manifestly impossible to make regulations for the immediate return of islanders whose period of engagement has expired, as many of them prefer to re-engage, and there may in consequence be a few weeks' delay in getting a full ship.

I cannot conclude without expressing my appreciation of the fairness with which Bishop Wilson has tried to treat the subject, and of the temperate tone of his communications, but I am satisfied, had time permitted him to prolong his visit to the various districts in which the islanders are employed, he would have found it necessary to considerably modify the opinions which he has expressed, and which have apparently been formed upon imperfect information and hasty observation.

I have, &c.

HUGH M. NELSON.

His Excellency,
Sir Henry W. Norman, G.C.B., G.C.M.G., C.I.E.,
Governor.

From "Brisbane Courier" of May 9, 1895.

EXTRACT from the Report on Missions to Kanakas presented to the Presbyterian General Assembly held at Brisbane in May 1895.

This mission in the Mackay district continues to prosper. Above 300 "boys" have attended school during the past year. Your missionary (the Rev. J. M'L. M'Intyre) paid 262 visits on the various plantations, and held 538 services on Sabbath days and week days. Twenty-one Kanakas were baptised, and the "boys" at Walkerston and Sandiford contributed, of their own accord, 23*l.* to the mission fund.

"Looking at this mission from its commencement in 1888, we find that 379 'boys' and 'Marys' have been baptised, and 2,153 have donned the 'blue ribbon.' Nearly 200*l.* have been contributed by them for the mission work, either locally or for the general fund. The progress of the mission has been equally remarkable. All the plantations have now native teachers, zealously helping the missionary, and, on nearly all of them, the planters have built halls or meeting-houses for their religious meetings. During the last year, at Sandiford, under the noble fostering care of Mrs. Donaldson, the 'boys' themselves have contributed 70*l.* for building a new hall, which was recently opened, free of debt. A harmonium is being sent thither, purchased for them through a generous donation of 10*l.* from the Queensland Women's Missionary Union. The few planters are giving with much greater liberality than at first; and, through your convener's visit to Mackay in September last, the Farmer's Association, that employs most 'boys' in the district, has promised to subscribe, though, for a year or two, we

cannot expect much. Your missionary speaks rejoicingly of 'many splendid meetings,' and of 'many being spiritually blessed.' "

* * * * *

MEMORANDUM upon the QUEENSLAND LABOUR TRAFFIC.

DEAR SIR,

I HAVE the honour to send you a memorandum upon the labour traffic as now conducted between Queensland and the Western Pacific Islands.

My opinion is that, unintentionally, two wrongs are being committed against the islanders, which unless removed must bring discredit upon the sugar industry in Queensland. As now carried on, the trade does not lead to the civilisation, but rather to the decivilisation of the islands. It leads also directly to their depopulation.

I.—*Decivilisation.*

There is an abundance of good food and clothing provided for the islanders whilst on the plantations. No fault at all can be found on this score. I believe that even more than enough is provided. But good food, good clothing, good houses, and regular work are weak as civilising influences when measured with the adverse decivilising agencies also at work amongst the Kanakas.

- (1.) Alcoholic liquor is easily bought from the "low whites" with whom they associate. The penalty of 5*l.* is quite insufficient to prevent this sale.
- (2.) Opium and opium charcoal are bought from the Chinese and much smoked, especially in the country districts.
- (3.) Education, up to the present time, has not been sufficiently encouraged. "Boys" work from sunrise until sunset. They should then be encouraged to attend schools where they are provided.

Upon (1) and (2) everyone I have seen is agreed. I would suggest that the sale of liquors to the natives be punished with far greater severity than the existing regulations permit. In Fiji the penalty is, I believe, 50*l.* or one year's imprisonment.

Upon (3) all who know the islands will agree. Men who have been kept in check in Queensland only by fear of the magistrate and lock-up become the wildest and most uncivilised in the islands on their return.

II.—*Depopulation.*

(1.) Proper care is not exercised in the islands to preserve the population. Any native man who will go is received. In many islands the population has become extremely thin, but this fact makes no difference with the recruiter.

The population of Florida is reckoned at 4,000. There are 228 Florida men in the Mackay district alone. There are probably as many in the Bundaberg district; and there are some more further north. The lowest computation would probably give 500 men from Florida in Queensland at the present time out of a population of 4,000.

In Motalava there are only 1,013 remaining.

In Vanua Lava 1,100.

In Merelava 494.

Throughout all the Banks Islands the population has been worn thin; but the three islands mentioned above ought certainly to be protected. It would be wise to close all the Banks Group against recruiting, Santa Maria only excepted.

Lo, in the Torres Group, should also be protected. Population 230.

(2.) Long voyages in labour vessels, in all weathers, must tell on the constitution of the islanders. A voyage seldom lasts less than four months, I believe, and recruits are being picked up almost from the beginning of it. This long voyage, under entirely new conditions of life and food, together with home sickness, caused by idleness, and often enforced by regret at having hastily left home without due consideration and perhaps for a paltry bribe, must, I believe, sow the seeds of those pulmonary and other diseases which carry them off in such great numbers in this country.

(3.) A high death-rate still exists among the Polynesians in this country. An inspector informs me that it is 50 per thousand; this I attribute largely to the voyage.

The following figures have been given to me :—

Year.					Arrivals.	Returns.
1888	-	-	-	-	2,291	1,292
1889	-	-	-	-	2,032	1,184
1890	-	-	-	-	2,459	1,373
1891	-	-	-	-	1,050	976
					7,832	4,825

showing a loss to the islands of 3,000 in four years. Many of these, no doubt, did not die, but preferred to stay in this country.

Recommendations.

Bishop Selwyn has said publicly that the recruiting should be done by the Government itself in its own vessels or not at all. I entirely agree with him, and would recommend that—

(1.) Private firms be not allowed to bring recruits to Queensland.
It is the rapacity of such firms which causes the depopulation.

(2.) An Imperial or Government official of high standing should act as Agent-General to protect the islands. His duties should be :—

- (i.) To close those that are thinly populated ;
- (ii.) To collect islanders who wish to recruit ; this previous to the arrival of the labour vessels that the voyage may be shortened ;
- (iii.) To prevent women leaving their husbands.

(3.) Government vessels should return to the islands at regular intervals. A frequent complaint now is that when the Kanaka is ready to return there is no vessel to take him. The expiration of his term of service should be made to coincide, or nearly so, with the departure of a vessel.

The conclusion that I have arrived at after seeing the labour traffic both on its island and on its Queensland side, and after conversation with missionaries in the islands, and planters, missionaries, and inspectors here, are :—

- (1.) Wrong is now being done to the islands by the traffic ;
- (2.) But there is no reason why, these wrongs being removed by some changes in the system, positive good should not come to the islands by the close intercourse with a civilised country.

Believe me, &c.

CECIL WILSON,
Bishop of Melanesia.

W. E. Parry-Okeden, Esq.,
Permanent Under Secretary, Brisbane.

Winslow, Darling Point, Sydney,
May 23, 1895.

MY DEAR PREMIER OF QUEENSLAND,

I hope the memorandum that I addressed to Mr. Okeden made plain my views on the labour traffic. Here are some points I should like to emphasize, and a few additional things I should like to say before I leave this country next Wednesday.

As the traffic is now conducted, a missionary must be opposed to it. He sees his islands becoming empty of people if they are already evangelised. If they are in process of being won, he sees possibly the nuclei of his schools swept away by the labour-vessels. In Santa Cruz last year I had to take the leader of a class of 15 boys to Norfolk Island in order to prevent him and all the class recruiting in a vessel ; these boys were the fruit of years of work, and the tide was just beginning to turn in their village. A labour traffic which works against the only civilising agencies at work decivilises, and must be hateful to men spending their lives for the natives. An Agent-General might work with the missionaries. Add to this (1) the death-rate in Queensland of 50 per thousand ; (2) the riff-raff of society with whom the boys mix, involving grog and opium use ; (3) the diseases they contract and bring to the islands ; (4) the lack of schools ; and (5) the difficulty of return,—take all these into account, and it is not surprising that the missionaries dislike the traffic.

My object in visiting the colony was to see if it was a case without a remedy. Our belief has been that Queensland might become what a good boarding-school is to one of our children; it might benefit their characters. But for this it must be a good school, and not a bad one. A bad public school will injure a boy for life. At present I can only call Queensland a bad school for the islanders. As a rule there is no education provided at all; the boys are treated as useful animals; they are called the "best labour." A civilised country ought to treat them as men, or as children, and try to raise them morally and intellectually.

The best plan for raising them would be, I think, to start colleges at Bundaberg, Mackay, and Burdekin after the pattern of our Norfolk Island college. To this time-expired boys could be brought, and trained for three years or more. They should have five hours a day at books; there should be a good cricket ground for them, where Saturday matches could be arranged with the other boys. In the evenings the trained boys would teach in various schools in the neighbourhood. As more than half the Kanakas are carried away from islands in which the Melanesian Mission is working, we should be ready to spend a certain limited amount of money on such colleges, and we would send missionaries to conduct them. But the whole cost would be far beyond our means, and only a subsidy from the Pacific Islanders' Fund for each college would make the scheme practicable. I have laid this scheme before the inspectors, and they regard it as a good one.

From my point of view, *i.e.*, the missionary's, the only excuse for the traffic is that it takes wild islanders to a country which may do them good. If you were to close Malata you would take away this excuse, and you would come terribly heavily upon the remaining islands, hastening their complete depopulation. There are more than 1,200 Malata boys in Queensland now. If Malata is closed you will have to fetch these 1,200 from elsewhere. Moreover, they could not be fetched, as a matter of fact, and the traffic would cease. I am not anxious to see the traffic stopped at once; I want to see it righted. It has done much harm; possibly you can undo it by altering (1) your mode of collecting the boys; (2) of conveying them; and (3) of treating them whilst in Queensland. If that death-rate is correct it is a murderous traffic; but quick journeys from and to the islands would alter it, I feel convinced.

I must beg for protection for:—

Florida.
Vanna Lavà.
Mota Lava.
Merelava.
Lo (in Torres Island).
Santa Cruz.

It means death to a Santa Cruzian to take him to Queensland.

I think you have my mind on the subject now. Any question that I can answer I shall be glad to. I am glad to know that new regulations are to be issued. I trust that they will help to put the whole traffic on a more acceptable footing to those who work in the islands.

Believe me, &c.

CECIL WILSON,
Bishop.

Bishop Selwyn has said at home that if islanders are brought away at all it ought to be in Government ships. So, or not at all.

C. W.

STRAITS SETTLEMENTS.

REPORTS

ON THE

PROTECTED MALAY STATES

FOR

1894.

(For Reports for 1893 see [C.—7546], August 1894.)

Presented to Parliament by Command of Her Majesty.

August 1895.



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REPORTS

ON THE

PROTECTED MALAY STATES

FOR

1894.

No. 1.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received July 22, 1895.)

Government House, Singapore,
June 24, 1895.

MY LORD,

In forwarding to your Lordship the Annual Reports of the Residents of the Protected Native States of the Malay Peninsula for the year 1894, I regret that I am unable to include that of Pahang,* but, as your Lordship is aware, Mr. Clifford has, for the last three months, been engaged in an attempt to capture the band of rebel dacoits who have taken refuge in the States of Trengganu and Kelantan. From this service he has only just returned, and it has of course been impossible for him to prepare his Annual Report. As soon as it has been received, however, I will forward it, with my remarks, in a supplementary despatch.*

2. The year 1894 was one of general prosperity for the Western States and in each a larger revenue was collected than had ever been before received. Tin has, as usual, been the main source of this prosperity, but I am glad to say that agriculture has also made considerable progress.

3. The report from Perak is very interesting. The revenue of the State nearly approached that of the Straits Settlements, and, although there was expended on railway construction a sum of \$692,600, and on roads and other public works \$933,417, the expenditure only exceeded the revenue by about \$45,000.

4. The remarkable and steady increase in the Perak revenue can hardly be expected to continue, and at the time I write, in consequence of the tin market being overstocked and the production in Kinta and other districts thereby checked, it is tolerably certain that the sanguine estimates of revenue made for the present year will not be realised.

5. The Perak railway, owing to the plan on which it has been constructed, may be considered as two systems, the short line from Taipeng to Port Weld with the branch to Ulu Sa' Petang forming the one, and the line from Ipoh to Teluk Anson, which has been constructed from either end, and which hitherto has had a considerable space uncompleted between the two portions, forming the other.

6. As regards the first-named system there has been much disappointment. The Larut tin mines have to a great extent failed, and the district, so far as alluvial tin-mining is concerned, may be considered as nearly exhausted. The mines of Kedah, towards which the Ulu Sa' Petang branch has been directed, are now found to have been much over-estimated, and consequently there will be no object in continuing this line. The net earnings of the Larut railway in the year under report were less than three per cent., and I do not see much prospect of these earnings being improved until the line has been extended to join the other system at Ipoh, a distance of some 46 miles, or in the direction of Penang as part of the scheme now under your Lordship's consideration.

* No. 2, page 61.

7. The other system, known as the Kinta Valley railway, has at length, after various difficulties have been surmounted, been completed so as to admit of traffic, and will, I hope, when the results of 1895 have to be reported, show a very definite increase of interest earned on the capital expended.

8. That first requisite of a well-governed State, good roads, has not been lost sight of in Perak, and satisfactory progress in the construction of new roads, as well as in efficient maintenance of those already constructed, is shown in the report.

9. The trigonometrical survey of the State has made some advance. I hope it will be found possible, when the topographical work of filling in the triangles is taken up, to utilize the very complete maps that have been prepared by the Land Survey Department, which is at present, by reason of the great importance to miners of a speedy issue of titles, kept as a separate department from that of the Trigonometrical Survey.

10. Education has advanced considerably during the year, there having been an increase of one-seventh on the total number of scholars enrolled in 1893. The cost per pupil appears to me to be high when the very rudimentary condition of the schools is considered, but it must be remembered that this represents the total cost, as the Malay does not value education sufficiently to contribute even a small proportion to the cost of his children's training.

11. Public health was fairly satisfactory, no serious epidemic having prevailed, and cholera having been remarkable for its absence. Beri-beri, however, is as great a scourge as ever, its origin, mode of treatment, and in fact its whole pathological history, appear to be so obscure that its treatment must be more or less empirical. With the able and earnest medical staff now employed in the Native States and in the Colony, I trust that ere long something more may be known of this disease than that it is of malarious origin, and is probably produced by the neglect of ordinary sanitary precautions, common to all mining communities.

12. The Resident has very much at heart the agricultural development of the State, and a scheme for storing water for irrigating a large tract of land in the Krian district has been sanctioned, and will shortly, I hope, be initiated. If it is successful it will bring a large amount of padi land into cultivation, and will render the State self-supporting in regard to its rice supply.

13. Mr. Swettenham's general paragraphs 60-77 contain much interesting matter. If the system pursued in Perak of expending its balances on public works (*see* paragraphs 60, 71, &c.) should have the effect of developing the agricultural as well as the mineral resources of the State, then the future may be regarded without much anxiety, but if the alluvial tin which now constitutes the great export wealth of the State should be exhausted before agriculture has, to some extent, supplied its place, Perak with its large establishment and heavy necessary expenditure will have a difficult task to encounter. At present, however, there is no probability of the tin supply being exhausted for a good many years to come, and I am, therefore, justified in describing the prosperity of the State as fairly stable.

SELANGOR.

14. As regards this State I have to report a general state of prosperity during 1894 exceeding even that of Perak, the revenue having amounted to \$569,000 over that of 1893, or an increase of about 20 per cent., and the expenditure during the same period having only risen by about \$212,000. The assets of the State exceeded its liabilities at the end of the year by over \$1,600,000.

15. There has been much progress in railway and road construction, and paragraph 75 of Mr. Rodger's report contains a cheering account of the prospects of agriculture, which, in Selangor as well as in Perak, must eventually prove the only sound basis for the prosperity of the State.

16. Selangor, as being the State most interested in the development of Pahang, has been assisting the latter State financially, not only by lending money to equalise its expenditure and its revenue, but by undertaking the construction of a cart road from Kuala Kubu to Kuala Lipis, which will, when completed by the end of 1896, help to develop the mineral resources which are believed to be contained in that district of Pahang and, perhaps, inaugurate an era of prosperity for that hitherto unfortunate State which will enable it not only to pay its debts but in time to rival, by its progress, the brilliant fortunes of Perak and Selangor.

17. I have authorised a trial survey for a railway crossing the same pass as does the road from Kuala Kubu to Kuala Lipis. It may be, however, that one of the other passes will afford greater facilities for crossing the mountain range. This is a question for the future, but I hope that the road will soon be an accomplished fact. I quite agree with Mr. Rodger that Lipis should be the objective point for such a railway rather than Temerloh.

18. The setting apart and demarcation of reserved State forests in both Perak and Selangor is engaging the attention of the residents. This question will be taken in hand in Selangor as soon as Mr. Ridley, whose services the State has agreed to share with the Colony, shall have returned from leave.

19. The experiment made in Selangor of establishing a Government factory on the Ceylon model does not altogether commend itself to my judgment. I fear that, however good in theory, the factory will in practice prove to be very expensive. If, however, Mr. Rodger can by its aid inaugurate a system of technical instruction for young natives, the extra cost of the establishment will be well expended money.

20. I regret that the Kuala Lumpor waterworks are proving vastly more costly than was anticipated, but I believe this to be no unusual feature in works of this character and magnitude. The best professional advice that could be procured in the Colony has been called in, and I hope that this much delayed work may eventually prove a success though a costly one.

21. The railway construction in the State has been carried on with energy and, I think, with much ability. The Kuala Kubu line is proving in its last section one very difficult of upkeep by reason of the treacherous nature of the cuttings and the very heavy rainfall. The extension from Kuala Klang to Klang, sanctioned by your Lordship, is a very useful undertaking, and I have authorised the construction of the terminal wharf—which, owing to the enormous depth of mud and the want of a firm foundation, will be a work of exceptional difficulty—on a more elaborate and expensive scale than was at first contemplated. The Chief Engineer is at this time in England on leave and will utilise the opportunity to obtain the views of the Consulting Engineer on the system of construction of this wharf.

22. The output of tin, as shown in paragraph 41 of the report, has nearly trebled in eight years. New fields are being opened, and, if the price of this metal keeps up, I see no reason to doubt that the financial prosperity of the State is secure for years to come.

23. Here, however, as in Perak, the stable prosperity will depend upon agriculture, and there are signs that the rich lands of the State are attracting the attention of capitalists interested in coffee culture. I am most anxious that, while holding out every attraction to the bonâ fide cultivator, the land speculator may be kept at a distance, and I have requested the Resident to sell the land around Klang—the district in which the cultivation of Liberian coffee is being so successfully pursued—only after survey and after division into lots of 320 acres each, insisting in all cases on the deed containing a cultivation clause. I am not entirely in accord with the Resident (Mr. Treacher) in thus ruling. Having witnessed in other lands the miserable result of large areas being acquired without conditions by speculators, I have felt myself compelled to lay down the above-mentioned rule, which I purpose to extend in the future to any rich agricultural districts which may be discovered.

24. The health of the State, as in the case of Perak, has been very good. Beri Beri has made great ravages and seems to be inseparable from the conditions of mining life, which conditions it should be the aim of the Government to ameliorate, although this task with a people like the Chinese is one of the gravest difficulty.

25. Education in Selangor, as in Perak, is making fair progress. The Victoria Institution at Kuala Lumpor is, I think, a successful attempt to secure the co-operation of the community generally in giving an English education to such as desire it.

SUNGEI UJONG AND JELEBU.

26. These combined States furnished a larger revenue than ever before, and the beginning of the repayment of the debt owing to Selangor was found possible, a sum of \$9,970 having been repaid out of balances.

27. The prospects of agriculture here are perhaps more hopeful than are those of minerals, the Jelebu tin returns in particular having fallen off considerably, while those in Sungei Ujong have somewhat improved.

28. A fair number of public works were undertaken, and the amount done under the heading of Roads and Bridges was satisfactory. The total expenditure under these two heads reached \$237,902. Kuala Pilah was connected with Seremban by a road viâ Bukit Putus. This work was of great importance in view of your Lordship's sanction to my scheme of uniting the Negri Sembilan with Sungei Ujong and Jelebu under one administration. The chief want of Seremban is a new gaol, the present one being altogether unsuitable; but I fear it will be some time before the finances of the State will allow of the large expenditure necessary for this work.

29. The railway, for which the State guarantees the interest, is still a heavy drag upon its resources. Mr. Lister endeavours in his report to show that the saving in the cost of road construction and upkeep should be taken as a set-off against the amount of guaranteed interest paid by the State. There is something in the argument, but, notwithstanding it, I cannot but think it unfortunate that this small State has been prematurely burdened by a guaranteed railway. The line has been well kept up, and, so far as I can judge, has been very ably and economically administered.

30. The health of the State has been good, the medical and hospital arrangements being efficient. Mr. Braddon's remarks on the treatment of Beri-beri are worth perusal. I shall, if funds permit of it, sanction the establishment of a seaside convalescent hospital during 1896.

NEGRI SEMBILAN.

31. The expenditure on this congeries of small States exceeded the revenue by \$6,802, the interest on the loan from the Straits Settlements absorbing nearly double the amount of the excess expenditure.

32. The Negri Sembilan depend almost entirely on agriculture, for, although they have undoubtedly considerable alluvial tin deposits, the better prospects held out by other districts have prevented the capital necessary for development from being brought in.

33. The health of the States has been satisfactory, and the hospital arrangements fairly good.

34. This will be the last occasion on which a separate report will be required for Sungei Ujong and Negri Sembilan. These States have been amalgamated for administrative purposes, under the Hon. Martin Lister, from the 1st January, and an agreement between the States for their political union is in course of execution.

35. As your Lordship knows, from the various reports I have sent home, my visits to the Native States have impressed me with a deep sense of their importance, and of the extraordinary material progress that has been made in them since they have been under our protection. It would, of course, be absurd to attribute the whole of this progress to the effect of that protection. Their rich mineral resources and the teeming Chinese population that has been attracted by them have no doubt been the great factors in their prosperity, but, after making all due allowance for these factors, there remains the indubitable fact that, unless the ægis of our Government had been extended over them, internal dissensions and weak rulers would have dissipated the value of those resources, and the States would probably now be in much the same condition of picturesque barbarism that they were in 20 years ago.

36. To the many able men who have devoted the best years of their lives to this work, and who, in too many instances, have laid down those lives in the service, it is due that I, a new comer, should express my admiration and appreciation of the results of their labours. I have served Her Majesty in many lands, but nowhere have I felt the same vivid pleasure in witnessing the triumph of British powers of organisation as I have in the Protected States of the Malay Peninsula, Pahang alone excepted.

I have, &c.

C. B. H. MITCHELL.

ANNUAL REPORT BY THE BRITISH RESIDENT OF PERAK FOR THE YEAR 1894.

PERAK.

REVENUE.

1. The revenue of Perak for the year 1894 amounted to \$3,542,114, an increase of \$508,020 over the revenue of the previous year and \$417,114 in excess of the estimates. Every district but Kuala Kangsar contributed to the increase, and every item of revenue except licences.

By a rearrangement of boundaries, part of the Kuala Kangsar revenues were credited to Kinta, and this accounts for the apparent deficiency on the estimates in the former district.

The reason the actual revenue from licences failed to reach that estimated was because the amount of arrears to be recovered on account of an expired farm rent was over-estimated.

The most remarkable and satisfactory points about the revenue are: (i.) that land revenue yielded \$235,666, against an estimate of \$155,635, (ii.) Customs gave \$1,669,286, against \$1,416,860 estimated, and (iii.) the railway receipts (which amounted to \$244,446), while just exceeding the estimates, gave an increase of \$122,352 over the receipts of the previous year.

EXPENDITURE.

2. The expenditure of the year under review amounted to \$3,587,224, exceeding the estimates by \$387,320 and the revenue by \$45,109. This expenditure included, for—

Railway construction	\$	692,600
Public works		367,049
Roads		566,368
Total		1,626,017

—this is to say, not very far short of half our total expenditure was capital invested in useful and (for the most part) profitable works that, directly and indirectly, add to the revenue.

The cost of establishments, including the compensation granted to Europeans (\$62,525), amounted to \$864,817, that is, less than a quarter of the revenue.

The expenditure in every district largely exceeded the revenue of that district, except in Kinta, where the excess revenue amounted to \$721,975.

BALANCES.

3. The balances on the 1st January 1894 were, in banks and treasuries, \$281,721.

On the 1st January 1895, the balances in banks and treasuries amounted to \$366,196.

The State has now no invested funds.

ASSETS AND LIABILITIES.

4. On the 1st January, 1894, assets were	\$	860,202
Liabilities		415,668
Excess assets		444,534

On the 1st January last the position was—	\$	
Assets		647,665
Liabilities		315,554
Excess assets		332,111

PERAK.

The Pahang debt to Perak has, by arrangement, been transferred to Selangor, and the loan from Perak to Selangor is thus reduced from \$200,000 to \$105,707. There is still another \$30,000, advanced by Perak to Pahang last year, to be transferred to Selangor.

TRADE.

5. The trade returns for 1894 give the following result :—

	\$
Value of imports - - - - -	9,262,396
Value of exports - - - - -	17,184,836
Total value of trade - - -	26,447,232
Increase over trade of 1893 - - -	1,759,309

As usual, these figures make a record. The tables in the appendix to this report give all particulars, but it may be noticed that the tin and tin-ore exported in 1894 weighed 395,681 pikuls, or, calculating tin-ore as equivalent to 65 per cent. of smelted tin, about 23,552 tons. As compared with the previous year the export showed an increase of 53,693 pikuls, or nearly 3,200 tons. Padi and sugar show a greatly increased production.

The value of imports is less than that of the previous year by \$926,052, but the decrease is only apparent, for the specie imported in 1894 was \$1,231,424 less than was received in 1893. There was a fair increase in opium, provisions, tobacco, and piece-goods, and a falling-off in railway material, spirits, and liquor.

LEGISLATION.

6. There were seven meetings of the State Council during the year, and the following measures were passed :—

1. Adultery by Muhammadans.
2. Tyres of Cart-wheels Amendment.
3. Prevention of the Introduction of Contagious and Infectious Disease.
4. Ships' Lights.
5. Banishment.
6. Opium Duties Collection.
7. Diseased and Decrepit Aliens.
8. Absconding witnesses.
9. Evidence.
10. Courts Amendment.
11. Uniforms.
12. Amendment of Order in Council, No. 3 of 1893, Succession Duties Amendment.

ADMINISTRATION.

7. No administrative changes of any importance were made during the year; there were the usual absences on leave and returns to duty. Dr. H. H. Sheppard, State Surgeon, retired from the service at the close of a term of leave, but I regret to say that he died in England early this year.

Raja Musa and the Órang Kâya Sri Adika Râja were appointed members of the State Council, as was also Che Husein, who succeeded to the office of Órang Kâya Laksamâna.

LAND AND AGRICULTURE.

8. The Land Revenue collected amounted to \$235,666, exceeding the estimates by \$80,031, and the collections of 1893 by \$85,144. It is a result on which the Commissioner of Lands and all the officers of the department may be sincerely congratulated. This increase is general throughout the State, and is the result of larger expenditure in settlement work, of keener and more intelligent supervision, of collection of rents by European officers, and of a great improvement in the quantity and quality of the allotment surveys, whether done by the Government or by contract. Generally it may be said that the extraordinary improvement made during the last

five years in this most important department is due to the fact that the Government has increased the staff to something more nearly approaching what was necessary, and that a real effort has been made to enforce the Land Regulations in all their details.

9. The collection of revenue has been greatly assisted by a series of good harvests, and the land rents alone yielded \$120,806, an increase of \$31,334 over the receipts of the previous year. The premia on lands sold amounted to \$39,542 (chiefly for mining lands), while the revenue derived from the issue of passes to cut timber and collect jungle produce amounted to \$50,391, an increase of \$28,031 over the receipts of the previous year. This last is accounted for by a considerable increase in the scale of fees for cutting timber.

10. An examination of details will show that the survey fees received by Government amounted to only \$2,906, and the explanation of that fact is that in Perak no charge is made for the survey of native holdings unless the owner prefers to take out a lease rather than a certificate of title. The result is that, as a rule, leases are only desired for large areas held by Europeans or Chinese.

11. The cost of the whole Department of Lands and Surveys was \$132,578, a sum \$103,088 less than the revenue collected, or little more than half. A considerable amount of the expenditure, however (for inspectors of mines, overseers, demarcation officers, &c.), is really incurred not on account of the land but the mines, and cannot properly be looked upon as a legitimate charge against the Land Department, which gets no credit for any portion of the large revenue derived from the exports of tin.

12. The returns show that at the close of 1894 the total area alienated for agricultural purposes throughout the State was only 157,209 acres. The number of town and village building lots taken up was 4,842. To give some idea of the work done in the department beyond the mere collection of revenue, issue of passes, and registration of documents, I may mention that 42,695 acres were demarcated, against 27,517 in the previous year, at the average cost of 58 cents an acre including all expenses. In the Krian District, where there was the strongest and most capable staff and where the land is most get-at-able, 18,145 acres were demarcated at an average cost of 27 cents an acre including all expenses. If the Government had had the courage to spend money freely on settlement work, the results throughout the State would have been even better. Parsimony in this respect is abortive as well as unwise, for the work has to be done, and the result of spending in dribblets is that there are always arrears, confusion, delay, dissatisfaction, and in the end an increased expenditure, for which, of course, no one can be made responsible. Land settlement (that is, the demarcation, survey, and registration of lands applied for or occupied) is an investment which pays fairly well when the expenditure of \$132,578 gives a return of \$235,666 within the year; to hesitate to increase an expenditure which will secure a return proportionate to that given by the above figures would be a short-sighted policy.

MINES.

13. As usual, the production of the mines in Perak has exceeded all previous records. In the face of falling prices, the amount of tin and tin ore exported in 1894 was 395,681 pikuls, or about 23,552 tons, exceeding the export of 1893 by nearly 3,200 tons. The duty paid in 1894 was \$1,649,596, and \$1,281,813 of this came from the Kinta District alone.

It is satisfactory to be able to say that, while the work in Larut is not nearly so extensive as it used to be (though the export shows a slight increase over the figures of 1893), it was never so well done as now, and that the coolies are better paid, better fed, and altogether better treated than formerly. One reason, perhaps the greatest, why the production of tin goes on ever increasing as the price falls ever lower is that the employers of labour do not now make the large advances to their men which used to be given only a few years ago. The result is that the coolies do not abscond to the same extent, because they have not the same inducement, and people with even a very small capital can now go into mining, either as employers or in partnership with the labourers.

14. Small quantities of wolfram and of gold were exported from the Batang Padang District in 1894, and it is highly probable that the mines of these minerals will in the next few years show a considerable extension. There have already been a good many applications for leave to work gold, and this industry should get beyond the prospecting stage in the next 12 months.

POLICE AND CRIME.

15. The strength of what is called the police force, but which is really a regiment of Sikhs and some Malay water-police, was increased by 75 non-commissioned officers and men during the year, and on the 31st December 1894 the numbers were, exclusive of commissioned officers,—

Inspectors	17
Non-commissioned officers and men, Indians	787
Do. do. Malays	327

The cost of the whole force for the year on all accounts was \$289,430, and the amount of revenue collected, chiefly for cart and carriage taxes, was \$64,587.

16. The returns of crime committed and discovered show that there were 20,089 cases reported in 1894, against 21,114 in 1893; of these, 10,804 are returned as discovered, but no very useful conclusion can be drawn from these figures, as they include such "crimes" as breach of contract (*i.e.*, absconding coolies), 6,575 cases, with 1,126 discoveries; breach of Government orders, 615 cases and 615 discoveries; breach of municipal rules, 1,201 cases and the same number of discoveries, and so on through a list of similar offences, such as criminal force, 781 cases; cruelty to animals, 171 cases; drunk and disorderly, 296 cases; vagrancy, 1,253 cases—in all of which the "discoveries" are equal to the offences. Of the 273 cases of public nuisance there were, however, only 272 "discoveries"; of gang robbery, 38 cases, there were 16 discoveries; highway robbery, 45, with 26 discoveries; house-breaking, 672, with 127 discoveries; theft in a dwelling (serious), 198, with 36 discoveries; theft in a dwelling (minor), 2,693, with 691 discoveries. On the other hand, of 13 cases of murder, 10 are returned as discovered; in one of them (to which special reference is made in paragraph 23) the detective branch deserves great credit for the capture of most of the perpetrators of the crime.

17. The conduct and discipline of the men of the force were good; the artillery practice was satisfactory, and the musketry returns are up to the standard of former years, though not as good as they should be for a military force.

A detachment of Perak Sikhs under the Commandant, Colonel Walker, C.M.G., and Captain Talbot, went on service to Pahang during the year. Captain Talbot was severely wounded, two men were killed, and three others wounded. I have no official knowledge of the operations of the detachment while absent from Perak.

18. From the beginning of 1894, a tailoring establishment for clothing the force was undertaken, and it has proved a great success, convenience, and economy. The work produced is decidedly superior to that obtained when given out on contract, and costs less.

PRISONS.

19. The prisoners remaining in all the prisons in the State on the 1st January, 1894, numbered	621
Admitted during 1894	4,586
Total	5,207

—an increase of nearly 1,000 over the numbers of 1893. The numbers for Kinta (2,136) were even greater than in the prison at Taiping (1,873), while Krian accounted for 552, and Lower Perak for 348.

Discharged during 1894	3,933
Transferred	268
Died in prison	31
Executed	5
Escaped	19
Detained for safe custody and awaiting trial	171
Total	4,427
Remaining on 1st January, 1895	780
Total	5,207

There were six escapes in Taiping, three from parties working outside the prison and three from the district Hospital, where they had been sent as incurables. The health and conduct of the prisoners were good, and the Superintendent speaks highly of his European staff, but the native warders still leave much to be desired.

Although the Kinta District Prison (at Batu Gajah) was extended and enclosed by a brick wall, there was, at one time during the year, considerable overcrowding, both there and in Taiping. It will, I think, be necessary to erect another ward of separate cells at Taiping next year. Last year I gave full particulars of this institution.

20. As regards industries, the extra-mural labour of convicts at Taiping alone is valued at \$10,945, and they did a great deal of very useful work. Inside the prison, the stone-breaking gave a profit of

The rattan work	-	-	-	-	-	-	-	\$ 1,644
Carpenters' work	-	-	-	-	-	-	-	624
	-	-	-	-	-	-	-	361
Total	-	-	-	-	-	-	-	\$ 2,629

—and this after making due allowance for the value of convict labour and materials as follows:—

Labour	-	-	-	-	-	-	-	\$ 4,867
Materials	-	-	-	-	-	-	-	2,582
Total	-	-	-	-	-	-	-	\$ 7,449

The demand for the products of prison industries is becoming so great that to meet it more work-shed accommodation would be necessary, and I question whether there is room within the gaol walls for such extension. Of course it is a question whether it is desirable to meet a large public demand for prison manufactures.

COURTS.

21. The tables in the Appendix give every information about the judicial work of the State. The court work, and the revenue received therefrom, continue to increase; the records are now carefully kept, and I believe the general standard of work done is very much better than it used to be, though I do not pretend that it is entirely satisfactory. It would probably be idle to expect such a result under any circumstances, but, with few exceptions, a higher legal knowledge is required by the Perak Magistrates, and, generally, more care in dealing with the cases that come before them.

22. The Senior Magistrate, Mr. H. C. Belfield, besides fulfilling the very important duties of a post that includes the trial of capital cases and civil suits where the money consideration has no limit, has again been of the greatest assistance in drafting legislative measures for the consideration of Council. Messrs. Logan and Ross, of Penang, advise this Government in legal matters, and also undertake the drafting of Council Orders, but it is almost impossible that they should be able to do all the work that we require in this direction, and the consequence is that the drafts of most measures of the highest importance, such, for instance, as the Land Code, the Mining Code, the Pension Order, and the Labour Code, were prepared in Perak by officers who have had no special training for such difficult work.

23. A somewhat curious case may be mentioned. A Chinese was arrested in 1888, and, in conjunction with a fellow-countryman, was tried for a murder in Kinta and convicted. Both men were sentenced to death, but, while one was executed, the sentence of the other was commuted to a term of six years rigorous imprisonment. That term duly expired and the convict was released, but within a few months he collected some companions and amongst them they murdered a Chinese shopkeeper under circumstances of extraordinary brutality and cold-blooded design. The crime was committed in a lonely and isolated house, and the murderers left no trace. A detective, however, got on their track, and, making excellent use of his information, succeeded in arresting four of the culprits, one of them being the Chinese on whom sentence of death was passed in 1888. He was again convicted, sentenced, and duly executed, but the case of a man being twice sentenced to suffer the extreme penalty of the law is probably unusual here. The reprieve appears to have been an instance of mistaken clemency.

24. The Courts revenue for 1894 amounted to \$68,260. The number of inquests held in all the districts was 278.

PUBLIC WORKS.

25. The amount spent upon Works and Buildings in 1894 was \$353,047, a sum \$20,000 in excess of the similar expenditure in the previous year.

The most important Works were—Teluk Anson waterworks (\$65,496 spent during the year, work almost completed); the Parit Buntar waterworks, whereby the town

PERAK.

and outskirts of the Parit Buntar station are supplied with drinking-water brought, by the kind permission of the Sultan of Kedah, from a hill in His Highness's territory to the northern bank of the Krian river, and thence, by means of a syphon, across the bed of this tidal river, to the Perak bank. The total cost of the work was \$39,000. Surveys were made and estimates prepared for a scheme to supply the town of Ipoh with drinking-water; and Mr. Vincent, of the Indian Public Works Department, reported on the scheme prepared by the State Engineer for the irrigation of 50,000 acres in the Krian District at an estimated cost of \$350,000. Both these works will be commenced this year, and money has been provided for them.

As regards Buildings, a new Lunatic Ward was built in Taiping, and a Hospital Ward in Ipoh, with Quarters for the District Surgeon stationed there. At Teluk Anson a new Ward was also constructed, and some Hospital Buildings were erected at Bagan Serai, in the Krian District.

A brick wall was constructed (at a cost of \$11,000) to enclose the Prison yard and buildings at Batu Gajah, and new Police Barracks were built at Ipoh. New Rest-houses of an improved type and permanent materials were erected at Taiping and Ipoh. The Residency Cottage at Ipoh was completed.

ROADS AND BRIDGES.

26. The expenditure on Roads and Bridges amounted to \$541,062, and covered the further construction or commencement of the following roads:—the Coast Road from Taiping to Bruas, which will eventually be extended to Setiawan and so put the Dindings Settlement in communication with the Perak road system; the Kota Tampan Road, which will join by a first-class cart-road our most northern station, at Janing in Upper Perak, with Kuala Kangsar and Taiping; the Tanjong Rambutan Road, an extension of the Kinta Road system to open the valuable tin-fields to the north of Ipoh; the Batu Gajah-Gopeng Road, to join the important mining town of Gopeng with the head-quarters of the Kinta District; the Temoh Road, to connect Temoh, in the Batang Padang District, with a station on the Kinta Valley Railway.

In Krian, the Tanjong Piandang Road, which connects the extensive rice-fields of Tanjong Piandang with Parit Buntar, the head-quarters of the District, was metalled.

Thirty-one miles of metalled cart-road and 23 miles of bridle-road were constructed during the year, and all existing roads were maintained in a high state of excellence. The road mileage in the State at the end of the year was 963 miles.

27. The total sum expended by the Department was \$953,453, not including the provision for salaries, transport, &c., which amounted to \$66,674, a sum equal to less than seven per cent. on the outlay for work performed, a result which is very satisfactory. What the work means may be gathered from the fact that the District Engineer of Kuala Kangsar travelled 3,440 miles on duty during the year.

SANITARY BOARDS.

28. Sanitary Boards have been appointed at all the principal centres of population in the State, and the experiment has proved decidedly satisfactory. The sanitation of all towns and villages has been improved, and municipal affairs are no longer neglected, as used to be the case when no one was specially responsible for them. The thanks of the Government are due to the gentlemen who have accepted seats on the Boards and give their gratuitous services for the public benefit.

RAILWAYS.

29. The Railway Department spent the following sums during 1894:—

				\$
For General Management	-	-	-	11,718
Larut Open Line	-	-	-	67,031
Kinta Valley Open Line	-	-	-	108,974
Do. Construction	-	-	-	707,055
Larut Capital Account	-	-	-	5,987
Total	-	-	-	<u>\$900,765</u>

The expenditure in 1893 was \$909,349. The total Railway earnings in 1894 amounted to \$243,515.

Open Lines.

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30. The Larut Open Line earned \$92,943, a decrease of \$5,210 against the receipts of the previous year, accounted for by the closing of mines at Kamunting and the opening of sections of the Kinta Valley Railway which diverted some of the traffic.

The working expenses amounted to \$1.83 per train mile, and the gross receipts to \$2.43. The per-centage of working expenses to receipts was 75.5, and the net profit realised \$22,772, which gives an interest on capital invested of 2.94 per cent. The \$5,987 spent on capital account was the cost of diverting the Sungei Drahka and substituting an embankment for the bridge which had grown to be a cause of anxiety.

31. His Highness the Sultan formally opened the Ipoh-Batu Gajah section of the Kinta Valley Railway on the 7th February. Another section of six miles (from Batu Gajah to Kota Bharu) was opened on the 27th April and immediately gave a great increase in the traffic receipts. On the 29th September, another section of seven miles, from Tapah Road to Talam, was completed and opened, and this has just (March, 1895) been extended to Kampar, another three miles.

32. The total receipts on the Kinta Railway amounted to \$151,590; the working expenses were \$102,138 and the profit \$49,451. The receipts give \$1.98 per train mile, and the working expenses \$1.34, a per-centage of 67½ to the gross earnings.

33. There were two fatal accidents on the Larut line and three on the Kinta line. An elephant charged and derailed a passenger train near the Bidor Bridge, Teluk Anson, on the evening of the 17th September. The driver and fireman were thrown into the jungle, but no one on the train was injured. The elephant, a large male with tusks seven feet long, was killed.

Construction.

34. As already stated, a very large sum was spent on this account in 1894, and the Kinta Valley line might have been opened to traffic throughout its length had not unexpected trouble been encountered in a cutting at the twenty-fifth mile from Teluk Anson. The sides of this cutting have constantly fallen in, and a spring was discovered in the bottom, the consequence being an enormous increase in the amount of earth estimated as necessary to be removed and a corresponding increase in expense.

The principal work done during the year was 220,066 cubic yards of earthwork in banks and cuttings, 12½ miles of platelaying, 10¾ miles ballasted, and 63 bridges and culverts completed, of which the principal were—one with two spans 100 feet each, one of 150 feet span, one of 200 feet span, two of 65 feet span, six of 40 feet span, one with two spans of 40 feet each, and 11 of 20 feet span.

A great quantity of station buildings, sheds, and quarters were constructed. Five locomotives and 151 vehicles were erected, and 21 miles of telegraph were completed.

Railway Surveys.

35. The trace of the line from Taiping to Kuala Kangsar was cleared. A preliminary examination of the country between Ipoh and Chémor was made in September, and the survey of this extension (12 miles) has since been completed and the work of construction commenced.

In November a rough examination of the country between Taiping and Parit Buntar was made and a full report furnished on the Perak section of the proposed Taiping-Kuala Prai Railway. This scheme now only awaits the consent of the Secretary of State to allow the promoters, who ask for neither guarantee nor land, to form a company and raise the necessary capital for the construction of the Province Wellesley section.

SURVEYS.

36. The work of the Trigonometrical Survey is not one of which much idea can be given in a report of this kind. The chief surveyor writes that 11 new main stations and 22 minor ones were established, and the work of the year consisted chiefly in breaking up the main triangles and completing observations from stations already in existence.

Two hundred and twenty-two miles of traverse surveys were made, of which 192 miles were also co-ordinated. The surveys comprised 42 miles of road and bridle-paths, 162½ miles of river, and 15 miles of coast surveys.

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A large amount of astronomical work of a severely technical type was done in the determination of the latitude and azimuth at two stations specially selected for this purpose, viz., Gunong Jerai, in Kedah, and Scott's Hill in Larut.

By permission of H.H. the Sultan of Kedah, who is ever ready to give us his cordial assistance, leave was obtained to include Gunong Jerai (Kedah Peak) in the Perak triangulation, and careful observations were conducted there by various officers of the Department. The mean result accepted gives the latitude of Gunong Jerai as $5^{\circ} 47' 15.22''$ north. The approximate height was 4,019 feet above sea level, and the instrument used an 8-inch micrometer theodolite.

The final value obtained for the azimuth or true bearing, the mean result of 12 sets of observations east of the meridian and 13 west, was $277^{\circ} 7' 45.70''$ north, with a probable error of 1.02 seconds.

Similar observations at Scott's Hill gave a latitude of $4^{\circ} 52' 17.88''$ north.

The latitude of Gunong Jerai, by a preliminary computation of the triangulation, based on the above determined latitude for Scott's Hill, is $5^{\circ} 47' 14.20''$, and shows a difference of only $01.02''$ against the latitude calculated on astronomical observations made on the spot.

37. Mr. Young, the able Chief Computer of the Department, also took further observations at Scott's Hill for longitude, with a mean result of 6 h. 43' east, whereas the longitude of the same point calculated from that of Port Weld (as determined by the Admiralty Surveyors in 1884) was 6 h. 42' 58'', a difference of two seconds in time.

38. In connexion with the work at Gunong Jerai, the surveyors made a very curious discovery, namely, that the top of the mountain was covered by a sort of masonry hearth, about 16 feet square, formed of blocks of hewn granite with a hole in the centre, near which was lying a cover-stone of sandstone. Other somewhat similar hearths were discovered close by, but the most careful inquiries failed to throw any light on the origin or uses of these floors.

The discovery was the result of an accidental fire which burned away a covering of peat, 2 feet in thickness, which was growing on the top of the hill and had effectually concealed the stonework beneath it. The Malays of the neighbourhood exhibited great curiosity at the discovery and went in large numbers to see the place, but none of them could offer any reasonable solution to account for what they saw, and none of them had ever heard any tradition of the occupation of the top of the hill by Malays or people of any other race or faith.

It is extremely unlikely that, whatever the uses of these hearths, they were constructed by Malays. It is suggested that they have been intended as places for cremating bodies in connexion with a monastery or some such religious house on the hill. It seems, however, strange that bodies should be carried to a height of 4,000 feet for such a purpose, and the country at the foot of Gunong Jerai does not appear to have ever been thickly populated.

It is also suggested that the hearths were used as places on which to build beacon-fires for the use of vessels sailing to and from Acheen. That, also, is a suggestion which has not much to recommend it.

The chief surveyor and Mr. Irby (of his staff) have taken photographs and made some careful plans of what has been laid bare but further explorations will probably be necessary if the real meaning and uses of these remains are to be ascertained.

HEALTH.

39. The health of the State during 1894 was fairly good, and the year is chiefly remarkable for the entire absence of any case of cholera, and the fact that there were only 36 cases of small-pox, 14 of which proved fatal.

40. There was a decrease in the number of hospital patients as against the figures of the previous year, but the death-rate was considerably higher.

The total number of cases treated was 19,050, against 19,594 in 1893. The death-rate rose from 15.93 in 1893 to 17.73 in 1894. The explanation given is that an unusual amount of inspecting was done in the various mining and agricultural coolie lines, and that this resulted in a number of serious cases being sent into the hospitals which might otherwise have been left to die outside. In one hospital alone, 150 patients died within 48 hours of admission. In all the hospitals, as many as 738 patients died within 24 hours of admission and may be regarded as beyond hope when admitted. If these cases were excluded, the death-rate would be reduced to 13.85, a figure which the Acting State Surgeon considers to be not excessive.

I wrote at some length on this subject last year, and there is nothing to be gained by repeating what I then said; moreover, special inquiries have been made during the year and special reports furnished, and the great consensus of qualified opinion is to the effect that Chinese labourers in Perak are fairly well housed and very well fed, but their water-supply is often indifferent or bad, and the conditions under which they work, especially in the mines, are so excessively trying that weakly subjects especially cannot stand them.

In our hospitals the accommodation is excellent, though sometimes overcrowded; the food is all that could be desired, and the attendance up to a certain point good, but the supervision of qualified surgeons is only partial, and unless the services of a surgeon resident on the spot can be secured for every hospital with an average number of between 200 and 300 patients the best results will not be obtained. There are seven surgeons provided for the staff of the Perak Medical Department, and as I write the post of State Surgeon is vacant, while two of the District Surgeons are absent on leave, one on account of a most severe illness and the other after a residence of six years in the State.

The question of attendance has been provided for by the provision of a sum to meet the cost of supplying male nurses to the hospitals, but it will take time to engage and train a staff of this kind.

41. As regards outdoor patients, I regret to say that, for some cause which I cannot now explain, their numbers fell off by 4,408 as compared with the year 1893. Further inquiries will be made on this subject, for we can only look to the outdoor work to relieve the strain on the accommodation of our hospitals, the endurance of the staff, and the resources of Government, which already devotes so large a sum to the Medical Department. It is also through the dispensaries and outdoor treatment that we hope principally to break down the prejudices of Asiatics to the use of European drugs and methods.

42. It is a source of satisfaction to be able to say that the vaccination returns for 1894 are by far the best ever yet recorded. Nine thousand two hundred and seventy-two subjects were vaccinated, and of these 6,682 are returned as perfect, 400 modified, 733 failures, and 1,457 not seen. The lymph used was that obtained from Saigon, and has given much better results than that received from England.

43. The health of the prisoners in all our prisons has been decidedly good. At the two large establishments in Taiping and Batu Gajah the percentage of deaths was respectively 2·23 and 2·46. In Teluk Anson there were two deaths, giving a percentage of 2·53, and in the six other district or divisional prisons there was not a single death.

44. The Perak Government maintains a Leper Ward at Pulau Jerejak. A total of 86 lepers were treated there, and 32 of these died, a percentage of 37·20. In Taiping we have a local leper ward, where the death-rate was 16·78, but probably the cases treated at Pulau Jerejak were further advanced in the disease.

A committee on leprosy sat during the year and furnished a valuable report with recommendations for the segregation of our Malay lepers, but I understand the Secretary of State for the Colonies is not in favour of compulsory segregation.

45. Rinderpest was prevalent during the year, and a mild form of foot-and-mouth disease attacked the buffaloes in the villages on the Perak River. Towards the end of the year there were several undoubted cases of anthrax in Larut, and something like 1,500 pigs were carried off by an epidemic of swine fever.

Just before the close of 1894, a Veterinary Surgeon arrived from England, and his services will be greatly appreciated and ought to prove of much value to the State.

36. I regret to say that during the year the Government lost three European officers, and in two cases (Messrs. Morris and Parkes) death was due to climatic causes. It is specially sad to record the death of Dr. H. H. Sheppard, the late State Surgeon, under whose direction the Department had grown to its present importance and creditable position. Dr. Sheppard had found it necessary, owing to the state of his health, to resign his appointment, and he died in England even before the question of his pension had been finally settled.

TEMPERATURE AND RAINFALL.

47. The meteorological returns show that the highest temperature registered during the year was 95° F. on the 25th March at Ipoh, and the same at Kuala Kangsar on the 19th May. The lowest recorded temperature on the plains was 61° F. at Teluk

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Anson on the 2nd December. The greatest rainfall was at Tapah, with 155 inches, and the lowest at Krian with 58.61 inches, an abnormally low figure that means an entire failure in the rice harvest over the greater part of the district. The heaviest rainfall for 24 hours was 5.50 inches at Teluk Anson on the 31st December.

EDUCATION.

48. Eight new schools were opened during the year, making a total of 85 schools throughout the State: 8 English, 75 Malay, and 2 Tamil, with a register of 3,924 scholars, an increase of 566 on the enrolment of the previous year. The average attendance was 73 per cent., and the passes obtained by those presented at the annual inspection were 82 per cent. of those possible. The results obtained at the Tamil schools were specially satisfactory.

49. Of the English schools, the Central School at Taiping gave very satisfactory results, no fewer than 73 boys passing in every subject. The attendance was regular, the discipline excellent, and the school maintained in all respects its good reputation.

The Taiping English School for Girls gave almost equally satisfactory results.

The Malay schools, whether for boys or girls, are fulfilling their objects and amply justifying their existence and the expenditure of the comparatively small sums devoted to their maintenance. In the girls schools, needlework and weaving receive special attention, and it is interesting to find that eight married women are amongst the pupils at one school.

50. The Inspector of Schools reports:—"The year has been one of progress, both in the extension of education and in the general results obtained at the annual inspection, as well as in an improved attendance and more satisfactory discipline."

The cost to Government per pupil in average attendance is \$16.28, per pupil in average enrolment \$11.86, but if the cost be reckoned on the total number of pupils who received instruction during the year (for many leave annually) the amount would be only \$8.40, equivalent to about 16s. per head.

In November the inspector of schools furnished a most interesting report on the subject of vernacular education in Perak which was published in the *Government Gazette*.

POSTS AND TELEGRAPHS.

51. The revenue collected by the Post and Telegraph Department amounted to \$39,081, an increase of \$7,189 over the receipts of the previous year. There was an increase on every item of revenue.

After the unfortunate experience of this Government in having to pay \$13,675 for loss on exchange when the Government of the Straits Settlements (with whom the matter rested) came to settle its 1893 money order accounts with India and Ceylon, it was necessary to make an arrangement whereby Perak interests would be safeguarded, and this has now been done, with the assistance of the Chartered Bank, in such a way that the public benefits while the Government is absolutely protected against loss.

The number of letters and parcels which passed through the post offices was 1,751,706, showing the enormous increase of 724,540 over the numbers of the previous year. The number of telegrams dealt with was 221,378, against 186,461 in 1893.

Money order facilities have been extended, so that now an order can be drawn at any money order office in Perak on any country with which the Straits Settlements have money order dealings. The value of the orders issued was \$248,549, and of those paid \$77,481, in both cases largely exceeding the figures of the previous year.

The Taiping-Penang overland mail service has proved an entire success and worked most satisfactorily, the mails having on one occasion been delivered in Taiping in seven hours from Penang. That is worth recording, considering how lately there was no road connexion between Taiping and the Krian District.

Many improvements were made during the year in the way of extending and duplicating telegraph lines, and telephones have now been supplied to every police station where a telegraph wire is available.

POPULATION AND IMMIGRATION.

52. The following figures show the number of arrivals and departures at two ports in the State, Teluk Anson and Port Weld, during the year. The arrivals have

exceeded the departures by 14,669, and that number may be added to the population as the result of immigration.

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DISTRICT.	ARRIVALS.				
	Europeans and Eurasians.	Chinese.	Malays.	Indians.	Total.
Matang	711	25,872	4,441	6,823	37,847
Lower Perak	—	23,515	7,111	3,258	33,884
Total	711	49,387	11,552	10,081	71,731
	DEPARTURES.				
	Europeans and Eurasians.	Chinese.	Malays.	Indians.	Total.
Matang	643	20,671	3,689	5,741	30,744
Lower Perak	—	16,373	6,569	3,576	26,518
Total	643	37,044	10,258	9,317	57,262

53. The births and deaths reported to the police are as follows :—

	Births.	Deaths.
Europeans and Eurasians	25	11
Chinese	375	6,159
Malays	3,478	2,374
Tamils	226	825
Others	21	58
Total	4,125	9,427

The births show an increase of 507, and the deaths an increase of 963 over the figures of 1893, and that increase is in both returns found divided amongst all nationalities, except in the case of the Tamils, where the deaths are 29 fewer than in 1893.

54. There were 1,206 Statute Indian immigrants in the State on the 1st January, 1894, and 530 new hands were imported during the year, nearly all of them for the Gula Estate. The percentage of deaths was 6.18, against 2.01 in the previous year, which had the lowest death-rate ever recorded. The explanation of this increase is, that a large number of the 1893 immigrants came late in the year, and, with those imported during 1894, made an exceptional number of unacclimatised labourers, who more easily contract and succumb to disease than those who have been some time in the country.

CHINESE PROTECTORATE.

55. The Acting Protector of Chinese, Mr. Barnes of the Straits Settlements Civil Service, has furnished a very interesting report, especially as regards two subjects of the greatest importance,—i.e., the protection of Chinese women and girls and the labour question. On both these subjects I am in accord with the opinions expressed by Mr. Barnes, and am glad to think that the labour code to which he alludes has an early prospect of becoming law in Perak.

56. Referring to the labour question, Mr. Barnes writes :—

“The old system had really broken down under its own weight. Its object was to prevent coolies from absconding, but while it failed hopelessly in securing this, in its efforts to do so it caused an amount of trouble to all parties concerned, and an amount of real hardship to many innocent people which would have hardly justified its continuance if it had succeeded. The new law recognises the fact that, in the present expansion of the population and development of the State, it is a practical impossibility to prevent labourers not under written contracts from seeking work wherever it pays them best, even though they abscond from their debts in doing so, and the State now no longer deceives employers into making large advances to their coolies by a promise (which it is impossible to fulfil) to restrain them from absconding until the money is repaid.”

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"The new law is, as I expected, working without difficulty, despite the complaints of some of the smaller and more old-fashioned employers, and it bids fair to materially reduce the great risk of Perak mining—i.e., coolies' advances.

"Recently the Senior Magistrate and myself have prepared a labour code, which will embody and repeal all existing labour laws with the exception of the Indian Immigration Order. I trust that this may soon become law, and that magistrates, police, employers and labourers alike may be at last enabled to know exactly what their respective duties, rights and powers are.

"*Labour Supply.*—The supply of mining labour in Perak is at the present moment very deficient. The Kinta District has been so widely opened by the railway and by roads, bridle-paths, &c., that far more land has been applied for and taken up than there are labourers available to work. The result is that the coolies are the masters of the situation, and demand and obtain such high wages that but few advancers can afford to risk the money necessary to open up a big mine. Consequently the *chabut* system is becoming universal, and even under this no coolie will remain at work without a fair certainty of earning at least 35 cents per diem over and above his food. This means, of course, that the land is wastefully worked. When the 'eyes' of a piece of land have been picked out, the coolies will, unless it lies close to a town, with the consequent attractions of the brothels and a theatre, move on elsewhere, and the owner must wait for a rise in the price of tin or a fall in the cost of labour before it can be worked again.

"It is a noticeable fact that although 35,000,000 dollars-worth of tin has been raised in Kinta in the last five years, there are certainly not ten really wealthy *thauks* in the District—by 'really wealthy' I mean men who are prepared to risk, say, \$20,000 in opening up a large mine. The Chinese population is uniformly well off, and the standard of living is very high, but there is as yet not nearly sufficient capital in the District to work the tin which is already, so to speak, in sight.

"In this connection I would point out that it would be a misfortune for the State if at the present moment a very rich alluvial tin-field were discovered in, say, Kuala Kangsar or Batang Padang. It would take some years for such a discovery to cause any considerable increase in the rate of influx into the State of either capital or labour. Both, therefore, would have to be withdrawn from Kinta. A great shrinkage, and consequent loss of capital, would take place in the value of all houses, theatres, markets, &c., in the District, whilst the possibility that the men and money withdrawn from it would be employed somewhat more productively in the new field could not compensate the State for the immediate outlay on roads, establishments, &c., necessary to develop and administer it. The State gains most when one District is fairly worked out before the centre of activity is shifted to another."

57. In reference to these remarks on the system of mining, I may say that we have for long been anxious to provide a complete set of mining regulations for our peculiar circumstances, a Mining Code in fact, and such a measure was drafted more than a year ago, but it has been waiting for the approval of an even more important piece of legislation, the Land Code, which left Perak in August 1893.

MUSEUM.

58. The work in the Museum has consisted chiefly in furnishing the new wing of the building and arranging the immense quantity of exhibits which the Curator had not been able to show for want of space.

A great deal of useful prospecting was done in Selama, in Ulu Kurau and in the Matang District, but it was only in the first that really good prospects were obtained.

PRINTING.

59. The Printing Office has, as usual, done an ever-increasing quantity of work with great efficiency. It will be necessary next year to increase the staff and the supply of type, and the machinery must be thoroughly overhauled.

The cost of the establishment for the year was \$23,302 (a saving on the expenditure of the previous year), and the value of the work done was \$24,443, of which \$1,734 was received for private printing. The time has probably now arrived for shutting out private work, and this should cause no inconvenience as there is in Taiping a privately-owned printing business.

60. In many of the departmental reports that I have received this year the figures of the quinquennial period 1890-94 are quoted. A comparison of the results of these five years may be of interest; the figures are certainly striking.

In the first place, I am glad to say that nothing now remains of the \$1,800,000 balance (mainly accumulated by the efforts of my predecessor, Sir Hugh Low) which was standing to the credit of this Government on the 1st January 1890. Not only has that sum been far over-spent on a single work, the Kinta Valley Railway, which is now all but completed and will have cost over \$2,500,000, but the annual surplus of revenue over ordinary expenditure, which has averaged little short of \$900,000 a year, has also been spent in railway and road extension, waterworks, and telegraphs, as will hereafter be shown.

61. The revenue and expenditure of these last five years, with the estimates of the current year, are as follows:—

	1890.	1891.	1892.	1893.	1894.	1895. Estimated.
	\$	\$	\$	\$	\$	\$
Revenue - - - -	2,504,116	2,324,981	2,689,565	3,034,093	3,542,114	4,223,832
Expenditure - - - -	2,555,793	3,146,129	3,094,855	3,401,086	3,587,224	4,186,417

62. Our three main productions are tin, padi, and sugar; the quantities of the two first, and the value of the last-named, exported during the five years are shown below:—

	1890.	1891.	1892.	1893.	1894.
Tons of Tin - - - -	14,116	15,410	16,538	18,821	23,552
Gantangs of Padi - - - -	246,664	1,859,420	2,473,235	2,568,575	4,322,983
Value of Sugar, in dollars - -	401,122	562,074	617,108	898,667	1,045,328

63. The largest revenue is received from Customs, the most interesting from Land; what each has produced in the five years will be seen from these figures:—

	1890.	1891.	1892.	1893.	1894.
	\$	\$	\$	\$	\$
Customs - - - -	897,073	843,952	1,125,591	1,342,741	1,669,286
Land - - - -	75,387	92,603	152,900	150,522	235,666

64. Our greatest expenditure has been for the construction of Railways, Roads, and Works, and of the last-named I select waterworks as being the most generally beneficial. This table gives the expenditure under these heads for the quinquennial period:—

	1890.	1891.	1892.	1893.	1894.
	\$	\$	\$	\$	\$
Railway Construction and Materials	120,302	366,809	668,877	1,012,837	727,735
Roads - - - -	712,926	832,773	546,830	507,568	566,368
Waterworks - - - -	1,349	4,137	63,726	40,218	86,648

Before leaving this question of railway construction, it is only fair to remark that, as a criterion of the price at which our public works have been executed, the cost of the Kinta Valley Line has been 5,804*l.* per mile. As far as I can gather from the Colonial Office List, 1894, the cheapest colonial railway (the Cape) has cost about 9,000*l.* per mile—and yet the Perak Railways are admittedly well constructed, on severe conditions, and well furnished.

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65. The revenue received from the investment in railways was as follows:—

1890.	1891.	1892.	1893.	1894.	1895. Estimated.
\$ 88,764	\$ 91,337	\$ 82,939	\$ 117,906	\$ 244,446	\$ 683,000

66. As evidence of the increasing amount of work transacted in a department of much public importance, I give the number of letters and parcels that passed through the State post offices and the number of telegraphic messages sent and received during the period:—

	1890.	1891.	1892.	1893.	1894.
Postal covers -	475,305	585,609	745,124	1,027,166	1,751,706
Telegrams -	94,052	129,245	157,705	186,461	221,378

67. The little that has been done for education is represented by the number of scholars attending the Government schools and the amount devoted yearly to this department:—

	1890.	1891.	1892.	1893.	1894.
Scholars -	1,524	2,780	2,893	3,358	3,924
Expenditure -	\$23,968	\$32,066	\$39,299	\$42,716	\$46,703

At the end of 1889 there were only 815 scholars attending all the schools.

68. As showing that we have spent and are spending something that does not now give us a return in revenue, but is of high importance to the State, though not always undertaken so early in the existence of an administration, I give the cost of the Trigonometrical Survey, and here I have included the years 1888 and 1889 because the work commenced in the former year:—

1888.	1889.	1890.	1891.	1892.	1893.	1894.
\$ 19,904	\$ 16,841	\$ 27,782	\$ 35,218	\$ 34,143	\$ 42,876	\$ 54,153

Total cost to date	\$ 230,921
Estimated to complete the work by end of 1898	245,846
Total	<u>476,767</u>

69. Finally, the value of trade in the last five years is shown below, and attention may specially be drawn to the high value of the exports and the fact that this is not a passing trade—the imports are absorbed in the State and the exports are the product of local industries:—

	1890.	1891.	1892.	1893.	1894.
Imports	\$ 7,173,617	\$ 7,913,357	\$ 9,628,051	\$ 10,188,448	\$ 9,262,396
Exports	9,985,713	10,655,332	12,387,024	14,499,475	17,184,836
Total	17,159,330	18,568,689	22,015,075	24,687,923	26,447,232

70. Since 1890 the revenue has increased 40 per cent., and by the end of this year the increase will probably be 75 per cent. The production of tin has increased by over 50 per cent.; the export of padi is nearly 20 times what it was in 1890, and that of sugar is more than double. The value of the Customs revenue has doubled, and of the land more than trebled. The railway receipts last year were three times, and this year will be nearly eight times, as large as in 1890. The postal business has increased fourfold, and that of the telegraph offices has more than doubled, while the trade of the State has increased from a value of \$17,000,000 to nearly \$27,000,000. And this is not quite all. With the progress and prosperity of the State the well-being of its people has kept pace. I have already said that the position of our Chinese labourers—the bone and sinews of the body politic—has vastly improved. There are very few Europeans who are able to compare the condition of the Malays now with what it was when Sir Andrew Clarke signed the Treaty of Pangkor in January 1874. The change for them has been certainly remarkable. I have no desire to enlarge on the greatness of their gain, but it is evident enough to those few who knew the Peninsula then and can see it now; moreover, the Malays themselves are conscious of their altered condition and grateful for it. It would hardly be an exaggeration to say that the position of all classes of Malay society and all individuals has been bettered. The power of the governing classes is, in one sense, far less than it was when British assistance was invoked, but their influence is certainly wider. As a class they are better housed, better clothed, wealthier, and in every sense more comfortable. The same is the case with the lower classes; they have gained exactly in proportion to that power which their chiefs have lost. Their lands, which were valueless and in many cases abandoned, are now cultivated, fenced, cared for, and acquiring a value which in some cases is considerable and in all appreciable. The wealthiest Malays in the Peninsula are the Perak Malays. It is for them that the richest silks of Trěnggānu and Batu Bāra are woven, it is they who vie with each other in the building of expensive houses and the possession of horses and carriages, while many of them own residences in the Sacred City of Mecca. The richest man in Malaya is a member of the Perak State Council and made all his fortune in this State.

71. The lesson to be learnt from these facts and figures is, I think, a very plain one. It is, that in the administration of a Malay State, revenue and prosperity follow the liberal but prudently-directed expenditure of public funds, especially when they are invested in high-class roads, in railways, telegraphs, waterworks, and everything likely to encourage trade and private enterprise; and in this the Malay State is probably not peculiar. The Government cannot do the mining and the agriculture, but it can make it profitable for others to embark in such speculations by giving them every reasonable facility, and that we have tried to do. If we had kept our funds in Indian securities, or if we had simply devoted our energies to building up large balances for the pleasure of looking at and talking of them, the progress of the State would have been a good deal less marked, and it is impossible to say whether, hereafter, our funds might not have been diverted to some other purpose, and Kinta, years hence, be still no nearer the immense boon of a railway to the port of Teluk Anson than Singapore is to-day to that railway across the Island which was so strongly advocated nearly 25 years ago.

72. I confess that I am inclined to carry this principle of the value of liberal expenditure on well considered objects into almost every department of the public service of this State. The money that is spent is only invested, and comes back in increased revenue, while the State gains in palpable benefits like roads, railways, and other works, or in the increased efficiency of the administration. Both add to the revenue. A new road or an additional officer equally proves this truth, if the road is in the right direction and the officer does his work. That, at least, is the experience of the past, and it may be peculiar to the opening of new countries, especially when they are so rich in resources as the Malay States.

73. I am not personally anxious to see the mineral wealth of Perak exported in ever-increasing quantities when the price of tin has dropped in two years from 90*l.* to 63*l.* a ton and is still falling; and yet we are to a large extent responsible. The enormously improved facilities of transport that we have provided enable the miners to work great mineral fields so much more economically that they can now, even at the present price of tin, afford to turn over ground that 10 or 15 years ago would have been neglected as unpayable, and the enormous quantities of the metal exported from the Malay States have no doubt brought down the price. Perak alone has contributed 16,500,000*l.* worth in the last 20 years. It is true that our capital (in the shape of tin) is leaving the country, but what has gone is probably only a fraction of what remains,

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and, beyond imposing a high export duty, there is no special reason to try to control the production. The duty that is paid to us is exceptionally high (if the price of the metal continues to fall, it may be necessary to reduce it), and as it is the revenue derived from this source that has enabled us to construct our roads and railways, we are building up a capital of another and better kind. Our lines of communication do something more than enable the miner to get his rice cheaply and transport his produce to a market at particularly low rates; the railways, besides their other advantages, yield a large and direct revenue, this year in Perak it will amount to nearly \$700,000, of which probably more than half will be profit, giving a return of about 10 per cent. on capital invested; the roads feed the railways and themselves indirectly contribute largely to the revenue. But the main point is that both roads and railways will open up the agricultural capabilities of the country, and give us the best thing we can hope for: a settled agricultural population and a body of Europeans who will bring their brains, their energy, and their money to convert our jungles into extensive estates of permanent cultivation, a form of enterprise such as no Asiatic has hitherto had the ability, experience, or determination to attempt.

74. If the falling price of silver is helping the miners of the Malay Peninsula to crush all rivalry in Cornwall or Australia, the same cause will give a manifest advantage to the planter who sells his coffee, tobacco, or spices in a market where payment is made in gold. The conditions of soil, of climate, and rainfall that he requires are here, the transport facilities are good and improving yearly, labour is cheap and may be made plentiful, and all that remains is that the Government should be liberal in the terms on which it alienates the land. It is the opportunity of the planter, and it is also the opportunity of the Government; it would be a serious blunder if the fact were not grasped that the interests of both are identical.

Failures cannot benefit the Government, and at this moment, when European planting in the Malay Peninsula is still in its infancy, the man who brings us his capital, invests it in agriculture and loses it, can only serve as a scarecrow to frighten away intending planters.

Mining is and must ever be surrounded by risks; it is an unfortunate fact that many Europeans have invested considerable sums in mining ventures in the Malay States and have lost them, and yet it is not and has not been urged that the Government has placed difficulties in the way of acquiring mining land. When the British Government undertook to advise the Malay Chiefs in the Government of their countries, there were no alluvial tin mines in any British territory nearer than Australia, and no objection has therefore been raised to the regulations framed in the Malay States for the conduct of an industry that has now no rival in the world in the magnitude of its operations. We give to the miner what is often fine land covered with magnificent forest, and, when he has destroyed the timber, he turns the soil upside down and after a few years abandons it, leaving huge stretches of country a sightless waste of water-holes.

Whilst the operations last the Government secures a large revenue, and, as I have already explained, that revenue has been very usefully employed.

75. The case of the planter is the exact reverse. He converts the jungle into produce yielding fields, he settles on the soil, it is to his interest to foster to the utmost a property which will only give him a fair return after the investment of capital and years of toil. His object is to keep the land in cultivation, and when one product fails (as coffee failed in Ceylon) he immediately turns his energies to the introduction of another.

Here also there is a permanent revenue to be gained from the export duty on produce, and it wants no great effort of imagination to see a day when the duty on agricultural exports may exceed that on minerals. The returns in the latter case are much more rapid; but to make it easy to mine successfully and difficult to plant with profit may be good shop-keeping, but seems indifferent administration.

76. I feel very strongly that the Government cannot pursue a wiser policy than the encouragement of the planter. I have been told that the terms on which land has been granted to planters in the Malay States under the regulations which I drafted are too liberal, that they are thriftless, and I have failed to safeguard the future interests of the Government and retain the power to share in the rising value of alienated lands. The revenue returns of the last five years given in paragraph 63 *ante* are some indication of the result of the policy hitherto pursued in Perak, a policy which was endorsed by the great experience and sound judgment of Sir Hugh Low. Up to the present time, planting in Perak has been confined, with very few exceptions, to small native cultivators, but while the Government retains the power to determine the amount of the export duties and while there remain millions of acres of land

available for planting, and the total area granted is only 157,209 acres, I do not think the interests of the State can be said to have been greatly neglected in the past or seriously endangered for the future.

77. The Native States have not, so far, suffered from want of initiative. Of what has been done (and that can best be seen on the spot) little is due to outside influence, but local efforts have not always been unhampered. Sometimes, no doubt, we may have been inclined to think we know our own needs best, and the excuse for that impression is to be found in the result of the last 20 years' administration and the fact that those responsible for the initiative are not working for their personal profit but in the interests of the Malay States, interests which may be lost sight of when viewed from a distance.

F. A. SWETTENHAM,
British Resident, Perak.

British Residency,
Taiping, Perak,
25th March, 1895.

THE ADMINISTRATION REPORT OF THE STATE OF SELANGOR FOR THE YEAR 1894.

SELANGOR.

To the Hon. the Colonial Secretary, S.S.

SIR, Kuala Lumpur, April 30, 1895.

I HAVE the honour to forward, for the information of His Excellency the Governor, the Administration Report of this State for the year 1894.

I.—REVENUE AND EXPENDITURE.

2. The revenue collected during the year amounted to \$3,334,468, being an excess of \$601,603 over the estimate, and an increase of \$569,117 over that in 1893. The principal increases were on account of Customs, Railway, Conservancy, Interest, Licenses and Land. The following comparative statement shows the amounts collected under these headings during 1893 and 1894 respectively:—

	1893.	1894.	Increase.
	\$	\$	\$
Customs - - - - -	1,096,457	1,407,503	321,046
Railway - - - - -	521,386	660,794	139,408
Conservancy - - - - -	114,904	150,880	35,976
Interest - - - - -	38,887	63,000	24,113
Licenses - - - - -	752,655	770,946	18,291
Land - - - - -	104,521	122,697	18,176
	Total increase 2,175,180		\$567,010

The only increased tax was \$1 a ball (\$40 a chest) on opium, on which the import duty is now \$320, instead of \$280, a chest.

3. The total expenditure amounted to \$2,817,292, being an increase of \$211,704, as compared with that of 1893, but a saving of \$4,893 on the estimate. The sum of \$22,155 was paid to officers domiciled in countries having a gold standard of currency, as a compensation allowance for the depreciated value of silver.

The following comparative statement gives some of the principal items of expenditure in 1893 and 1894:—

	1893.	1894.
	\$	\$
Establishments { Fixed - - - - -	348,525	366,298
{ P. and T. - - - - -	53,882	64,297
Allowances to Native Chiefs - - - - -	53,536	59,116
Pensions - - - - -	24,343	24,207
Public Works - - - - -	951,416	970,376
State Railway - - - - -	794,893	885,893

4. On the 1st January 1894 the excess of assets over liabilities amounted to \$1,090,239, and on the 1st January, 1895, to \$1,610,436—an increase of \$520,197.

II.—PUBLIC HEALTH.

Hospitals.

5. The health of the State generally is reported to have been good, and, as shown by the accompanying table, both the number of patients treated in hospital, and the death-rate, were lower in 1894 than during the previous year :—

	Year.	Patients.	Death-rate.
1893	- - -	13,870	17·16
1894	- - -	12,322	16·7

The total number of beds, including all the hospitals, was 1,110, and the number of patients remaining under treatment on the 31st December was only 887, so that, although some of the hospitals were fuller than others, there was no overcrowding. The prevailing diseases were, as in former years, beri-beri, dysentery and diarrhœa, of which the first caused the largest number of admissions to hospital, and the greatest number of deaths, although the percentage of mortality was less than that among cases of diarrhœa and dysentery. The comparative returns are as follows :—

	Patients.	Death-rate.
Beri-beri - - -	2,817	24·2
Diarrhœa - - -	1,022	45·3
Dysentery - - -	934	36·5

6. The reasons ascribed by the Residency Surgeon, I think correctly, for the prevalence of these diseases and for the high death-rates, are the rapid opening of new districts for mining and planting purposes, and the fact that many of the patients are sent to hospital in such an advanced stage of disease—frequently in a dying condition—as to be practically beyond the reach of medical treatment. The following extract from Dr. Travers's Annual Report tends to show that coolies suffer only when employed in newly opened districts :—

“ *Food.*—A careful investigation and report, made at the request of His Excellency the Governor during the year 1894, showed that the food given to the coolies in nearly all the mines was excellent in quality and abundant in quantity. From my own observation, I should say that the mining cooly, provided for by his towkay, is very much better fed than the independent Chinaman in the town who has to supply his own food. They have their meals regularly, and have them cooked by a man set apart for that purpose.

Houses and Sanitation.—The bangsals are situated in the open air, are exceedingly well ventilated, and are, as a rule, fairly clean.

“ *Locality and Work.*—It has been found that, both in the opening up of estates and laying down of railways, most disastrous results have immediately followed the felling of virgin forest and opening up the earthworks. The history of the railways and estates in Selangor and other States has shown this very clearly. The death-rate among several gangs of Tamil coolies on the Sungei Ujong line rose to as much as 20 per cent. per annum, and on several parts of the Kuala Kubu extension of the Selangor Railway work was seriously impeded. Both these lines were made through virgin jungle. The line recently made from Pudoh to Sungei Besi runs entirely through open country, and I am told by Mr. Fox, the engineer in charge of the work, that the health of the coolies has been excellent. The opening of the Batu Caves Coffee Estate was followed by very serious and continuous sickness among the coolies, the death-rate improving steadily from year to year, until at the present time, the estate having been opened for several years, the health of the coolies is excellent. The recently opened New Amherst Estate is a similar instance. I am, therefore, of opinion that the Chinese miner is affected in an exactly similar way, and whereas the Tamil and Javanese coolies contract fever and anæmic diarrhœa with some dysentery, the Chinaman develops beri-beri and dysentery in a most fatal form. Instant removal

from the locality and treatment by generous diet and tonics is usually successful in the case of beri-beri, and if only the mine-owners could be persuaded to send in all cases of dysentery and diarrhoea directly they occur, instead of waiting until they are practically moribund, even these diseases would present but little difficulty in treatment."

7. The number of patients treated for fevers is returned as 1,994, with a death-rate of 4.1. In the absence of any preventive regulation, a large and steady increase is shown in venereal disease, 974 cases having been treated, as against 571 in 1893, with a death-rate of 0.7. Only a few cases of small-pox, 34 in all, occurred during the year, and there were no deaths. Of the 2,456 persons vaccinated, 2,149 were reported successful cases, giving a percentage of 87.5, and this percentage speaks well for the Saigon buffalo lymph, which was used throughout the year.

In the General Hospital, at Kuala Lumpur, 1,294 patients were treated, with a death-rate of 5.0, and in the Pauper Hospital 6,084 patients, with a death-rate of 23.9; the marked difference between the death-rates being accounted for by the different stages of disease in which patients are brought to the respective hospitals. The average cost of a pauper patient, exclusive of clothing, bedding or drugs, is \$72.84 per annum.

In the Leper Hospital, 156 patients were treated during the year, of whom 70 absconded, 14 died and 71 remained under treatment at the end of the year. The nationality of the lepers was, without exception, Chinese.

In the lunatic wards of the Pauper Hospital, 95 patients were treated, including 17 females, the daily average being 25 males and nine females. These wards were originally intended only for the temporary accommodation of lunatics, pending their removal to the Colonial Asylum in Singapore; but, as that asylum is unable to receive more than a small proportion of the patients, it will be necessary to provide a permanent lunatic asylum in Selangor in the course of next year.

8. The subjoined table shows the constantly increasing number of persons applying for relief, as out-patients, at the various Government hospitals and dispensaries throughout the State:—

Year.	Out-patients.
1891	4,748
1892	5,995
1893	11,205
1894	14,870

The total for 1894, however, would probably have been much larger, had not fees been charged for medicines during the latter part of the year, with the result that, at the Pauper Hospital, the number of out-patients fell from 3,083 in 1893 to 1,128 in 1894. I regret this charge, and hope that it will soon be possible to abolish it, as the revenue collected (at the Kuala Lumpur Pauper Hospital it amounted only to \$4.48) appears quite incommensurate with preventing the people from seeking this form of relief. Personally, I am strongly in favour of free dispensaries among Asiatics, who are often willing to be treated as out-patients, but not to enter the State Hospitals until they are almost in a dying condition, and I agree with what the Residency Surgeon writes on this subject:—"Although resulting in a larger consumption of drugs, it is really a great economy, as diseases are in this way treated at an early stage, and when they are most amenable to the action of drugs. Admission to the hospital is not therefore so often necessary, and in proportion to the increased number of out-patients treated the hospital admissions have been found to decrease."

The general work of the Medical Department was very satisfactory.

Meteorological Returns.

9. The highest temperature recorded during the year was 93°, at Kuala Lumpur, on the 29th December, and the lowest 59°, at Kuala Lumpur, on the 31st July, but it is somewhat doubtful whether this last reading can be implicitly relied on. The mean average temperature taken at two readings daily was 77.8°, as against 78.2° in 1893. The heaviest annual fall of rain was in Ulu Selangor, where 113.94 inches were registered during the year, whilst the total rainfall at Kuala Lumpur was 94.32 inches. The greatest rainfall in 24 hours occurred at Kuala Lumpur, where 4.25 inches fell on the 2nd January. The largest rainfall, 14.25 inches, was registered during the month of April; the next largest during October and November, with a

SELANGOR. monthly average of 11.67 inches, while the driest months of the year were June and July, with an average monthly rainfall of less than four inches.

III.—PUBLIC WORKS.

10. The total estimate for expenditure by the Public Works Department was \$1,145,016 and the amount expended \$953,765, leaving an unexpended balance of \$191,251, of which the sum of \$6,219 was saved, and \$40,869 represented the estimated cost of works which were purposely postponed. The expenditure on works and buildings amounted to \$501,264, and on roads, streets and bridges to \$374,572. The principal works and buildings under construction were the Kuala Lumpur Waterworks, new Government Offices and new Gaol.

The waterworks, which will provide a constant supply of water to the town and Government buildings of Kuala Lumpur, were commenced during the year 1891, and will probably be completed during the current year. They are being carried out by Mr. H. C. Paxon, a hydraulic engineer sent out from England, under the supervision of the State Engineer. The original estimate of their cost was \$368,861, but it has been found necessary to supplement this estimate by \$208,653, and the present total estimate amounts to \$577,514. The main cause of this supplementary expenditure, apart from the heavy loss on exchange, is that, owing to the bed rock at the impounding reservoir being found to be fissured, a modification of the original design was rendered necessary, and the bottom and sides of the reservoir were puddled with clay, to a depth of two feet, whilst all crevices in the rock were grouted with Portland cement. A further modification was adopted, on the recommendation of the Colonial Engineer and the Municipal Engineer of Singapore, by the construction of an open channel, two miles in length, for the purpose of tapping an additional catchment area, and thus increasing the supply of water in the reservoir. The impounding reservoir, capable of containing 53,195,412 gallons of water, is situated at a distance of about five miles from Kuala Lumpur, and the whole of the watershed has been reserved by Government as a forest reserve. The puddling was nearly finished at the end of the year, and the dam and valve tower were completed to the level of the lowest draw-off pipe, which is fixed in position. The masonry of the filter has also been completed, with the exception of the plastering, and the whole of the pipes are now laid on the main and in the town, except at the Klang and Gombak River crossings. The total amount of earthwork completed is 263,957 cubic yards, and of masonry 8,034 cubic yards, and 21,635 cubic yards of earthwork and 182 of masonry are still required. The service reservoir at Kuala Lumpur, situated on a hill behind the Residency, is capable of containing 1,700,000 gallons; it was almost completed at the end of the year, and is finished at the date of this Report, including the bungalow main and service pipes. Some delay was caused by the necessity for modifying the original scheme, but excellent progress was made during the last six months of the year, both by Messrs. Howarth, Erskine and Co., the contractors for the impounding reservoir, and by the native bricklayers and masons working on piecework contracts at the service reservoir, under the immediate supervision of the Hydraulic Engineer, and there is every prospect that the works will be completed, and water laid on to the town, before the end of the current year. The scheme for this water supply has been subjected to much adverse criticism, in connection with the modification of the original design, but I believe that it is matter of common notoriety that extensive schemes for waterworks, breakwaters, &c., are seldom completed in exact accordance with the original designs and estimates, owing to the many unforeseen difficulties which arise during the course of construction, and, without professing in any way to speak as an expert, I think that the manner in which these waterworks have been designed and carried out reflects credit on both the engineers and contractors concerned.

The new Government Offices, estimated to cost \$152,000, will provide accommodation for all departments, with the exception of the Police and Chinese Protectorate; the building was commenced in October, and will be completed during 1896. The Moorish style of architecture has been adopted in the design, and, for the first time in the history of the State, it has been possible to obtain bricks of sufficiently good quality, by using the pressed and stock bricks made at the Government Brickfields, to allow of their being "pointed" in their natural state, without the need of plastering. The progress of this work, which is being carried out departmentally, has been thoroughly satisfactory.

The new gaol, estimated to cost \$321,412, was commenced in 1891, and will be completed before the end of the current year. It provides accommodation, in separate

cells, for 509 convicts, and is a two-storied building designed with four wings radiating from a central block. In addition to the cellular block there is a female ward, hospital, and administration block within the walls, and there are quarters for the gaoler and European and native warders outside. Temporary association wards were occupied during the year by convicts assisting in works connected with the building operations, and two of the wings were sufficiently advanced at the end of December to allow of nearly all the convicts being transferred to them from the old gaol. Good progress was made with this work during the year, and the concentration of all the prisoners in the State within one building will doubtless be an advantage, from the point of view of discipline. Of the other buildings carried out during the year the most important were the Victoria Institution at Kuala Lumpur, the Sanatorium on Bukit Kutu, in Ulu Selangor, and new Government quarters and hospital wards in various districts of the State. There were 76 new buildings, including extensions, erected during the year, and there are now 544 Government buildings in the State.

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11. The roads completed during the year consisted of two miles of metalled cart-roads, 18 feet in formation with 14 feet width of metal, costing \$6,331 a mile; eight miles of gravelled cart-roads, 18 feet in formation with 16 feet width of gravel, \$2,104 a mile; 40 miles of natural cart-roads, 18 feet in formation, \$1,062 a mile; and 19 miles of bridle roads, costing \$579 a mile. The two chief roads under construction were the metalled cart-roads from Ulu Langat through the Sungei Lui Valley, a distance of seven miles, and from Kuala Kubu towards Raub, of which the first two sections, a length of nine miles, were nearly completed. The continuation of this latter road, the main trunk road to Pahang, was delayed by the failure of the contract surveyor, and it has been found necessary to detach an officer from the Survey Department to complete his work, but very fair progress was made by the contractors, Messrs. Tait and Tate, engaged in constructing the first two sections.

12. The road upkeep returns show that 388 miles (219 of cart and 169 of bridle roads) were maintained during the year, as against 362 miles in 1893; the total cost being \$115,421. The following comparative table shows the relative number and average cost of cubes of metal broken and piled along the roads during the last two years:—

Year.	Cubes.	Cost per cube.
1893	2,063	\$7.15
1894	5,048	6.98

The cost, of course, varied in the different districts, the lowest (\$5.20) being at Klang, and the highest (\$8.19) at Kuala Selangor, but only granite is used in the latter district, whilst laterite and limestone, granite not being available in sufficient quantities, are the stones commonly used for metalling roads in other districts of the State. It is proposed to arrange for all roads to be metalled with granite, supplied through the gaol, as soon as the new gaol is completed, and the convict labour force is available. It is found that gravelling is all that is required to maintain, in good order, roads over which there is only light traffic. The so-called "Ceylon system" of road upkeep, of which the main feature is stacking metal along the roads in readiness for spreading at fixed intervals during the year, has been introduced with good results; but greater elasticity is required to insure the roads being kept in a constant state of repair, as I found two of them in a somewhat unsatisfactory condition in October, and was informed that the reason for this was that, in accordance with the system, the spreading of metal could not be commenced before the previous month. The general maintenance of the roads was good, and I noticed a special improvement in the cart-road from Rawang to Serendah, which was almost impassable in 1891-2, and in the bridle road to Bentong. That portion of the main trunk road from Province Wellesley to Malacca which passes through Selangor territory, and to which reference is made in the Secretary of State's despatch of November 1893, is now in thoroughly good order, from Beranang, on the Sungei Ujong frontier, to Tanjong Malim, on the Perak frontier, a distance of 82 miles. Several temporary wooden bridges and culverts have been replaced by permanent structures of iron and masonry.

13. Of the four branches of the State factory scheme, referred to in the Selangor Administration Report for 1893, the store is reported not to have worked altogether

SELANGOR. satisfactorily, the reason given for this being that the vote for the purchase of stock was insufficient. The factory was opened in June and has turned out some good iron and coopers' work, but has been less successful with carpentry and joiners' work. The brickfields have done very well, having turned out 479,926 stock and 1,266,849 pressed bricks, at an average rate of \$81 and \$90 per laksa (ten thousand), respectively. The quality of these bricks is excellent, and the cost of the waterworks and new Government Offices has been materially reduced by their supply. The timber depôt, from which it was hoped that a stock of seasoned timber for public works would be secured, has not been successful, the timber having been put through the sawmill almost immediately after it was brought in from the jungle, and the supply being inadequate for the current requirements of the department. The system of accounts, which is intended, as far as possible, to be similar to that of an ordinary commercial firm, is still the subject of correspondence, and I refrain therefore from quoting detailed figures of the estimated profit and loss, as they would only be approximate, and might be misleading. The total cost on capital account to the end of 1894 was as follows:—Store, \$4,659.57; factory (including the timber depôt), \$44,625.37; brickfields, \$10,132.31. It cannot be said that this scheme has yet proved an unqualified success, but the brickfields have done well, and the timber depôt, with improved organisation, should serve the purpose for which it is intended. The other two branches of the scheme may, later on, save delay in the supply of materials, reduce prices, and raise the standard of workmanship, but it can scarcely be claimed that these results have yet been obtained.

14. Speaking generally, the work of the Public Works Department has been very good, and there is a marked improvement in the design and construction of buildings, in the construction and maintenance of roads, and in the general organisation of the department, since the State Engineer, Mr. C. E. Spooner, was appointed at the end of 1891.

Sanitary Boards.

15. There are now sanitary boards in the Klang, Ulu Selangor and Ulu Langat Districts as well as at Kuala Lumpur, and useful work is done by all of them; but I will only refer to Kuala Lumpur in detail, as that is the only Board employing a town surveyor, and carrying out public works without reference to the district engineer.

The revenue collected at Kuala Lumpur amounted to \$123,225, showing an increase of \$27,307 over the previous year—the principal items being market dues \$59,800, and house assessment, \$16,370. There was a slight decrease in the amount realised from the tax on hackney carriages, owing to the largely increased number of licensed jinrikshas. The following return shows the relative numbers of vehicles of every description registered at Kuala Lumpur in 1893–4:—

	1893.	1894.
Gharries - - - - -	354	327
Bullock-carts - - - - -	1,468	1,553
Hand-carts - - - - -	68	96
Jinrikshas - - - - -	486	641
Total - - - - -	2,376	2,617

During the year, 56 persons were summoned by order of the Board for cruelty to animals, and 47 of them were convicted and fined by the magistrate.

16. The total expenditure amounted to \$71,205, being \$14,919 less than the estimate; due to the necessity for postponing certain works pending the appointment of a new town surveyor. The town was lighted by 397 oil lamps, at a cost of \$11,250, including the purchase of 47 new lamps. A special report was obtained from Mr. G. E. V. Thomas, an electrical engineer of Singapore, on the subject of lighting the town by electricity. The report was favourable, sufficient water power being available in the neighbourhood for working the dynamos, and it is proposed that some scheme of electric lighting should be carried out during 1896.

17. The amount of refuse collected and removed during the year was 22,463 cart-loads, at a cost of \$10,895, and the material was utilised for filling up swampy places within the town limits. The erection of a refuse destructor, similar to one giving

excellent results in Bombay, has been sanctioned for the current year, and it is possible that this destructor may also be utilised for desiccating sewage, at present removed in covered night-soil buckets by Chinese gardeners. Several streets have been extended, brick drains constructed, and all the roads and streets within town limits maintained in good order, while the general sanitation of the town has been much improved under the supervision of the Residency surgeon, in his capacity as health officer. The town reserves have been improved and kept in good order, and the Board is to be congratulated on the results of the year's work under the chairmanship of Mr. A. R. Venning, who is also the very efficient Chairman of the Botanical Gardens.

Fire Brigade.

18. The brigade consists of 26 efficient members, all volunteers, the captain being Mr. H. F. Bellamy, and its strength was well maintained during the year. Brigade drills were regularly held and all sources of water supply were systematically tested. These were generally found satisfactory, but many of them are precarious, and dependent on the seasons, and there can be no certainty of a constant water supply until the new waterworks are completed and pipes have been laid on to the town. The steam fire engine is reported to be in excellent order, as well as all the appliances and gear, with the exception of some of the delivery hose which will shortly be replaced. The only important fire occurred in the suburb of Pudoh, by which 60 atap houses were destroyed.

IV.—RAILWAYS.

19. The gross receipts for the year amounted to \$665,187, being an increase of \$137,572: the net revenue to \$387,033, an increase of \$57,257, as compared with the year 1893.

20. The expenditure on capital account amounted to \$631,992, and on revenue account to \$278,153. The total capital expended to the 31st December, 1894, in connection with the Selangor Government Railway, amounts to \$3,311,540, the whole of which has been met from the current annual revenue of the State, and the percentage of net profit in 1894 was 11·69 per cent., as against 12·31 per cent. in 1893. The decreased percentage, however, does not show any decrease in the earning capacity of the line, but is accounted for partly by the large increase in the capital account, for extensions only opened for traffic during the latter part of the year, and partly by the necessity for purchasing stores locally, owing to the late delivery of stores from England, the cost of both being debited to 1894, although a large proportion of the latter will be available for use in 1895. The gross receipts per train mile amounted to \$4·25, the gross expenditure to \$1·78, showing net earnings per train mile of \$2·47. The working expenses for the year amounted to 41 $\frac{3}{4}$ per cent.

21. The following comparative statement shows the traffic over the line during the years 1893 and 1894:—

Passengers.

		1893.	1894.	Increase.
1st class	- - -	5,557	9,330	3,773
2nd "	- - -	19,232	43,631	24,399
3rd "	- - -	636,838	1,074,491	437,653
Total	- - -	661,627	1,127,452	465,825

Goods.

		1893.	1894.	Increase.
Tonnage of goods	- - -	96,090	119,622	23,532
Head of live stock	- - -	20,886	22,787	1,901

22. Owing to the large increase in traffic, it has been found necessary to improve and remodel the general organisation of the department, which is now divided into branches modelled on the system of the English Railway Companies, each branch being controlled by a superintendent who has gained his experience on English railways. At the beginning of the year the books of the department were examined

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by an officer of the Colonial Audit Office, whose report was generally favourable, but it has been arranged that, in addition to the general audit of expenditure on capital and revenue account, a running audit on the revenue shall be carried out by the State Auditor from the beginning of 1895. To insure safe travelling, the system of "staff and ticket" working was introduced, under which two trains are never allowed to be on the same section at the same time, and this system is now in force over the whole line. A complete code of Railway Rules and Regulations was also issued. No serious accident to public life or property occurred during the year, but two railway servants unfortunately lost their lives, one being run over by a brake van at Kuala Lumpur, the other being struck by a coupling hook at Klang.

23. The want of sufficient rolling stock has again been severely felt, and the traffic between Klang and Kuala Lumpur has been so congested, upon several occasions, as to necessitate the running of special trains late into the night. A large order for additional rolling stock was sent to England early in 1894, but the carriages and wagons indented for did not arrive before the end of the year. Ten locomotives are now used on the railway, six of these being side-tank engines, two small saddle-tank engines, used for shunting and ballasting work, and two comparatively large tender engines, weighing 35 tons each, used principally for the heavy goods trains. In connection with the Locomotive Department it has been found necessary to again enlarge the workshops, to construct a large firewood shed, and to double the size of the engine shed. Other works of general construction have been the remodelling of the Kuala Lumpur Station, including the erection of a large goods shed, and the building of numerous staff quarters.

24. The total length of line open for traffic on the 31st December was 62½ miles, and that under construction 12 miles, whilst 13½ miles were opened during the year—namely, the section to Kuala Kubu, the capital of the Ulu Selangor District. The lines under construction were those connecting Pudooh with Sungei Besi (7 miles) and Klang with the Coast (5 miles). The extension to Sungei Besi, one of the chief mining districts in the State, has at the time of writing been opened for traffic. The work has been entirely carried out departmentally, and the cost of this extension (\$26,000 per mile, with an average rate for earthwork of 17¼ cents. per cubic yard) has been far less than that of any line hitherto constructed in the State. The extension to the Coast will provide an excellent harbour, with sufficient wharf accommodation for ships of any size, and will obviate all the present difficulties and delays connected with the navigation of the Klang River. The permanent way of the line is generally in good order, although there is still some ballasting, &c., to be done on the Ulu Selangor line. Only one slip of a serious nature occurred on the Kuala Kubu Extension, necessitating a stoppage of traffic for four days; otherwise, notwithstanding heavy rains and the fact that this extension was opened for traffic as soon as it was fit to run over, there has been no interruption throughout the year.

All the works, both of construction and maintenance, have been under the sole charge of Mr. A. J. W. Watkins, Government Railway Engineer, and the manner in which they have been carried out reflects the highest credit on this officer and his assistants.

The general results are summarised in the following table:—

Gauge.	Capital expended.	Mileage open.	No. of Stations.	Train mileage.	Earnings.	Expenses.	Net earnings.	Proportion of working expenses to gross receipts.
Metre.	\$ c. 3,311,540 12	62½	13	156,556	\$ c. 665,187 13	\$ c. 278,153 70	\$ c. 387,033 43	41¾%

Profit on capital.	Capital outlay per mile open.	Total earnings per mile open per week.	Total working expenses per mile open per week.	Total earnings per train mile.	Total working expenses per train mile.	Net earnings per train mile.
11.69%	\$ c. 52,984 64	\$ c. 204 67	\$ c. 85 59	\$ c. 4 25	\$ c. 1 78	\$ c. 2 47

V.—POPULATION.

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25. The census of 1891 gave the population of Selangor as 81,592, including 50,844 Chinese; but there is little doubt (judging from the tin returns, &c., of that year) that the returns were not altogether trustworthy, and that the population was under estimated. At the present time, judging from the general revenue of the State, the output of tin, the importation of rice, and other sources of information, it would certainly not be an excessive estimate to place the population at 150,000 including about 100,000 Chinese, most of whom are employed at the mines. The total area of the State being approximately 3,500 square miles, this gives a population of about 23 to the mile. The following comparative statement gives the returns of Chinese immigration and emigration since the year 1891 :—

Year.	Immigration.			Emigration.		
	Males.	Females.	Total.	Males.	Females.	Total.
1891	20,011	1,612	21,623	14,550	1,202	15,752
1892	38,428	2,152	40,580	17,015	1,494	18,509
1893	45,942	3,169	49,111	23,335	2,014	25,349
1894	43,094	2,503	45,597	24,163	2,043	26,206
Total	147,475	9,436	156,911	79,063	6,753	85,816

It will be seen from this statement that the excess of Chinese immigrants over emigrants amounts to 19,391 during the year 1894, and to 71,095 during the last four years. The immigration in 1894 shows a decrease, as compared with that in 1893, but, with reference to this decrease, the Chinese Secretary writes as follows :—
 “ It is very satisfactory to find that the decrease in immigration compared with last
 “ year only amounts to 3,914, especially when it is remembered that, on account of the
 “ breaking out of the bubonic plague in Hongkong and Canton, it was found necessary
 “ for the Colonial Government to issue a proclamation on the 18th of June, 1894,
 “ forbidding immigration from all parts of the south-east of China, which restriction
 “ was not removed until the 21st of September, 1894.”

The total number of immigrants and emigrants, of all nationalities, was as follows :—

	Immigrants.	Emigrants.
Europeans	823	642
Malays	12,840	1,769
Chinese	44,858	29,540
Indians	6,537	5,997
Other nationalities	491	547
Total	65,049	38,495

26. The number of statute Indian immigrants now in the State only amounts to 123, of whom 25 were brought in during the year under review. The Assistant Indian Immigrant Agent reports that their health has been generally good, and that he has had comparatively few complaints either from them or their employers, all of whom are European coffee planters; but “indentured” labour is hampered by too many legislative restrictions to have become, or to be likely to become, a general success. The demand for free Indian labourers is still far in excess of the supply, although the Tamil population in Selangor has considerably increased, and, having regard to the profitable employment offered to such labourers by the Government and by private contractors, as well as by the planters, it would appear that no better means could be devised for relieving the congested districts of Southern India than allowing unrestricted labour emigration to the Protected Malay States. The average rate of wages is 30 cents a day, or \$9 a month, but this rate is frequently exceeded by contractors.

The system of “ Passes,” for persons leaving the State, was abolished during the year under review.

Registration of Births and Deaths.

27. The total number of births registered during the year was 1,084, against 856 in 1893; of these 832 were of Malay and 184 of Chinese children. The total number of deaths was 4,813, against 2,826 in 1893, but this increased rate is probably rather apparent than real—due to the greater attention paid to registration—and these returns cannot yet be considered a trustworthy indication of the numbers, or death-rate, of the population of the State.

VI.—DISTRICT ADMINISTRATION.

Klang.

28. The principal feature connected with this district was the marked development of planting, both by Europeans and natives, and the officers successively in charge—first Mr. Aldworth and then Mr. Robson—deserve much credit for the fact that no arrears of quit-rent were outstanding at the end of the year. Klang is now the most important planting district in the State, and it only requires improved roads and a good system of drainage, both of which are being taken in hand, to enable a far larger area to be brought under permanent cultivation. The existing cart-roads, connecting Klang with Jugra on one side and with Kuala Selangor on the other, are being rapidly metalled and gravelled, and the whole work should be completed before the end of the year 1896. The extension of the railway to a port on the coast will of course diminish the shipping trade of the present town of Klang, but it is probable that the increased traffic over the coast roads will more than compensate for this loss to the inhabitants. New roads are projected to Kajang and Batu Tiga, and a drainage scheme, dealing with some ten thousand acres of agricultural land, is now being prepared by the Public Works Department. This district supplies Kuala Lumpur with fish, packed in ice on the coast and sent up by railway, and the fishing industry is reported to have been fairly successful, the revenue derived from fishing licenses showing an increase of 21 per cent. over that for the previous year.

Kuala Langat.

29. The chief importance of this district consists in the fact that H.H. the Sultan resides in it with his numerous followers. Apart from this, however, it contains much excellent agricultural land, and several new plantations have recently been opened along the roads connecting Jugra with Bandar and Bandar with Klang. The large plantation of pepper and Gambier at Sepang, belonging to a Chinaman, has done fairly well, notwithstanding the reduced price of pepper, but this sub-district is scarcely of sufficient importance to justify an European officer being permanently stationed there, and the Assistant District Officer has now been transferred to Sungei Besi, a very important mining centre in the Kuala Lumpur District.

Ulu Langat.

30. This district has not made much progress during the last few years and the area of land now being mined or cultivated is scarcely larger than in 1891, but increased mining activity has recently been shown in the neighbourhood of Samunieh, and a new mining area will be developed by the road from Sungei Besi to Kajang, which is now in course of construction. The Sungei Lui Valley, of which much was expected, has not hitherto proved remunerative for mining purposes. Four coffee estates, representing an area of 1,500 acres, have been opened by Europeans. As was anticipated in the Annual Report for 1893, it was found necessary to revise the register of customary titles and to alienate a considerable number of abandoned allotments, 190 holdings being struck off the mukim register and arrears of quit-rent amounting to \$2,427 being written off as irrecoverable, the occupiers of those holdings having left the State, or at least the Ulu Langat District.

Kuala Selangor.

31. The general progress of this district is satisfactory, especially in connection with the increased area of land brought under cultivation, and the new settlers, chiefly Kelantan and Sumatran Malays, appear to be prosperous and contented. The planting industry is being further developed by the construction of a cart-road to Rawang, the extension of the coast road to Bernam, and the improvement of the coast road to Klang. The fishing season is reported to have been unfavourable.

32. With the exception of Kuala Lumpur, this District is the most important in the State, and rapid progress is being made both in mining and planting, as well as in the substitution of permanent for temporary buildings in the townships of Kuala Kubu and Serendah. As the inland terminus of the railway will remain at Kuala Kubu, at least for some time to come, there is every probability that this town will increase in importance, since it is the natural outlet for all the Ulu Pahang trade. The District Officer, in common with all officers in charge of mining districts, complains of the difficulty and delay experienced in dealing with mining matters owing to the absence of a properly organised Mining Department, and a sufficient survey staff.

VII.—LAND, MINES AND SURVEYS.

Land.

33. The total revenue derived from land, mines, and revenue surveys amounted to \$138,216, as against \$117,210 in 1893: the land rents being \$26,078 in 1893, and \$31,323 in 1894. There were 46 estates of 100 acres or more in extent at the end of the year, of which 35 were in the hands of European coffee planters. These estates comprise an area of 56,030 acres, of which about 11,000 acres have been brought under cultivation. The total area of land held under "customary" tenure amounts to 25,503 acres; and under agricultural grants and leases (some few of which are for land within town limits), approximately 48,000 acres, exclusive of some 10,000 acres for which the documents of title, issued in anticipation of grants pending survey or for other reasons, have not yet been exchanged for grants. An aggregate of some 125 acres has been alienated under lease or grant, in the various townships of the State, in the form of building allotments.

Land, mines and surveys were formerly branches of one central office under the charge of a Commissioner of Lands; but this appointment was abolished in 1890, probably in connection with the proposed introduction of the Land Code in 1891, and all land matters were placed under the direct supervision of the Resident. The Kuala Lumpur Collector of Land Revenue, however, is Registrar of Titles for the whole State, and, as the present holder of that appointment, Mr. L. P. Ebden, has been closely connected with the administration of the Land Code from the first, he is frequently called on by the Government to advise and report on land matters affecting every district. The Collector reports that "the value of land in Kuala Lumpur, so signally depreciated some four years ago, is now as high as ever, and the value of "house property is undoubtedly greater than it has ever been.

34. The Selangor Land Code and Registration of Titles Regulation have now been in operation for four years, and, as they are in full working order throughout the State, it is possible to judge to what extent they have accomplished the objects for which they were framed—namely, making the Land Regulations of the State clear, simple and systematic—*vide* para. 164 of Selangor Report for 1890. As I happened to be acting as Resident of Selangor in 1891, when these regulations first came into force, and also from 1884 to 1887—thus having some experience of both the present and former regulations—it may not be out of place to briefly review the history of land legislation in this State, more especially as it is to be hoped that the legislation of all the protected Malay States will soon be assimilated.

35. In 1882, land regulations were passed, based generally on those in force in Perak, but largely remodelled, the main features of which were the recognition of Malay tenure by means of "certificates of titles," in the case of land already occupied by natives; the issue of "agreements for leases" in other cases, pending survey, to be replaced by "leases" in perpetuity; and a scale of premia and quit-rents, to be varied from time to time, but fixed in respect of all land taken up at the rates in force for the time being. Every holder of a "certificate of title" was entitled to a "lease" on the same terms as the holder of an "agreement for a lease," and the registration of all titles, transfers and charges was made compulsory.

36. In 1891 the Land Code and Registration of Titles Regulation were passed. Under the code a system of so-called "customary" titles was introduced, similar to a system in force in Malacca, under which there is a register of customary holdings (elsewhere termed a record of rights), and every landholder receives an "extract from the register," containing the official particulars about his land, and the amount of his

SELANGOR. revenue liability; but this system was only made applicable to Muhamadans, and to land outside the limits of a town. To persons belonging to other religions, and to all persons within town limits, a "permit to occupy" was issued, pending survey, to be replaced by a "grant" in perpetuity. Provision was also made for the assessment and periodical revision of rents—excepting town land and agricultural blocks exceeding 100 acres in extent: in the case of land held under grant, at intervals of 30 years, and in the case of land under customary tenure, at intervals of not less than seven years. In the case of town land, and of blocks exceeding 100 acres, the rent was not made liable to revision, but was fixed once for all. Every holder of an "extract from the register" is entitled to apply for a "grant." The system of registration of titles, transfers and charges, affecting lands held under lease or grant, is based on that in force in Australia, and for such lands there is a central titles office in Kuala Lumpur; but transfers, etc., of holdings under "customary" tenure are effected by a simple entry in the register of such holdings, kept by each district officer.

37. It will be seen that the chief alterations introduced by the land regulations of 1891 are: the substitution of "extracts from the register" for "certificates of title," in the case of land under Malay tenure; of "permits to occupy" for "agreements for leases"; and of "grants" for "leases" in perpetuity, while certain classes of land are made liable to periodical revisions of rent. It may be a question whether the elaborate mechanism of the land code was necessary to effect these alterations—still more whether it was necessary to compel all holders of "agreements for leases" to elect either to hold their land under "customary" tenure or to take out "grants" under the code—thus rendering them liable to increased quit-rents and periodical revisions—as was done by a regulation of 1892, but there can be no doubt that it produced a considerable immediate increase in the revenue derived from land. As will be seen, however, from the appendices to this report, the ratio of increase—about 3 to 1—is no greater than in the tin revenue, or general revenue of the State, during the last eight years, and, as the assessments in 1891–2 raised the rents of native holdings by about 50 per cent. (*i.e.*, from 50 cents to an average of 73 cents per acre, *vide* paragraph 64 of Selangor report for 1892), and, during the same year, an annual rent of \$1 an acre was charged for the first time on all land held under mining leases, it may be doubted whether the introduction of the land code, apart from merely raising the scale of rents, has produced any appreciable effect on the revenue.

38. The exact nature of a "customary" title is still a matter of animated controversy, and this is not a question of mere academic interest, but one of great practical importance in Selangor, as, by a regulation of 1892, the words "if a Muhamadan" were deleted from the land code, and the status of customary landholders may now be acquired by Europeans, Chinese and others, in respect of any waste land—*e.g.*, virgin forest. If, as is the opinion of the acting Attorney-General of the Straits Settlements, to whom this question was recently referred, and who followed a decision of the Colonial Court of Appeal in a case arising at Malacca, under an analogous ordinance, the entry in the register of customary holdings does not constitute "title by registration," as in Australia, it would appear advisable to adopt the Australian system, under which an entry in the register confers an absolute, indefeasible title—guaranteed by Government—on every registered landholder.

39. On the relative advantages and disadvantages of fixed, as compared with periodically revised, land rents, there is room for much difference of opinion, and the instance usually adduced in favour of the latter—namely, the failure of the "Permanent Settlement" of Bengal in 1793—is by no means conclusive on the subject, since that settlement was preceded by no systematic survey; raised the Zamindars—mere tax collectors—to the status of landlords, subject only to the payment of a rentcharge in perpetuity; and made no provision for the rights of the cultivators. In other words, the settlement failed, not because of its permanency, but because it placed the cultivators, the real proprietors of the land, as tenants at the mercy of rackrenting landlords. Fixed rents are, as far as I am aware, invariably preferred by tenants in the East, who understand "periodical revision" to mean "periodical increase"; and this preference is recognised by the land code in the case of holders of town lands and agricultural blocks of more than 100 acres, whose rents are fixed, and not subject to revision. At the same time, the Government may fairly claim an increased rent, when the value of the land or crop is directly increased by Government expenditure—*e.g.*, in the case of a drainage scheme—or to share the "unearned increment," when the increased value arises neither from the agency of the Government or the landholder, but merely from the automatic growth of trade and population. If care is taken that

the assessors do not include the value of any improvements effected by the landholder, and if the Government recognises that "revision" may mean "reduction," as well as "increase" of rent, should the value of land have become depreciated without any fault of the landholder, there appears to be no valid objection to periodical assessments.

40. Having had considerable experience of the questions arising under the land code, both in 1891 and during the past year, I think that only the third of the objects aimed at—namely, systematisation—has yet been fully attained. The system of registration has been greatly improved, but, in my opinion, the existing Selangor Land Regulations are somewhat too complicated, and, when the land regulations of all the Protected States are assimilated, a few modifications may be required, in the direction of clearness and simplicity.

Mines.

41. The area of land held under mining titles—licenses or leases—comprises nearly 24,000 acres, of which more than one-half is included in the Kuala Lumpur District, the remainder being distributed between the districts of Ulu Selangor and Ulu Langat, the former containing rather the larger proportion. There is no mining in the Coast Districts.

The following tabulated statement shows the annual export of tin and duty collected since the year 1887 :—

Year.	Weight.	Duty.
	Pikuls,	\$
1887 - - - - -	131,392	453,601
1888 - - - - -	135,735	530,788
1889 - - - - -	182,236	747,634
1890 - - - - -	174,538	672,667
1891 - - - - -	195,323	673,056
1892 - - - - -	208,164	827,916
1893 - - - - -	281,759	1,081,842
1894 - - - - -	375,337	1,417,185

* The export duty, now \$12.50 a bhara of three pikuls (equivalent to about \$70 a ton), includes a duty of 50 cents on charcoal, and varies from time to time, but is fixed to approximately represent an *ad valorem* duty of ten per cent.

42. All the mining in Selangor, with one exception, consists of surface workings for alluvial tin, the metalliferous deposits being either washed from the hillside by means of watercourses, or raised in baskets from excavations in the valley. The exception to which I refer is that of the Malay States Tin Mining Company, of whose mines at Kuchai, in the District of Petaling, the Superintendent of Mines writes as follows :—

"From certain indications the manager was led to suppose that a rich lode formation traversed the Kuchai lease. A shaft 60 feet in depth had been sunk and a small cross cut made in which splendid ore was exposed. Upwards of 50 small prospect shafts were then sunk on the strike of the formation on what are locally known as the eastern and western hills, and in nearly every instance rich disintegrated lode stuff was met with. In October an extremely rich leader was struck showing almost pure oxide 6 inches in thickness on the western hill, and a month later a large lode formation was struck on the eastern hill. The formation consists chiefly of felspar with a little quartz, and is capped with kaolin, which also carries large quantities of tin oxide disseminated through the mass. It is worthy of note that at Kuchai are the only mines in the State in which the alluvial deposits are worked by underground excavation on the pillar and stall principle. By this system of mining a regular and steady output is obtained."

Although there are indications of a lode at Kuchai, it is quite possible that only the disintegrated portions now remain, and it cannot be said that the present existence of a true lode—(*i.e.*, a metalliferous vein between two well-defined walls of another formation)—has yet been demonstrated. In any case, the alluvial deposits are extremely rich, and the system of underground working, needing only the excavation of a shaft, through which the tin-bearing deposits are removed, is both more effective and more economical than the former practice of excavating the whole superincumbent mass of earth or "overburden" in the first instance. I hope that some improved process of working the hill mines will also soon be introduced, either by means of a

SELANGOR. "monitor" or otherwise, as there is much valuable land which cannot be dealt with by the present primitive methods.

43. The inspection of engines, as provided for by Regulation No. II. of 1893, was fully carried out in 1894, and certificates were granted in respect of 131 pumping engines, of which 97 were in the Kuala Lumpur District. The general result of the inspection was satisfactory, but in several cases it was found that the safety valves had been weighted to increase the pressure of steam. During the year an interesting scheme of working mining pumps by means of electricity was successfully carried out at Rawang. The motive water supply is taken from a stream running through the Rawang Concession and is thence led by a race to the turbine; a force of more than 60 horse-power is thus obtained, and the electricity generated is now employed to work several pumps, one at a distance of more than two miles from the turbine, and to light the mines and town of Rawang.

44. In January the Mines Office was separated from the Chinese Secretariat, with which it had been connected since the year 1890, having previously been a branch of the Land Office, but, although now nominally a separate department, centralisation has not yet been effected; office records are registered in the administrative centres of each mining district, and each district officer directs the field operations of the mining staff in his own district. The Department has been very short handed, and there has consequently been some difficulty and delay in dealing with new applications, but steps have been taken to improve matters in 1895, by the employment of licensed surveyors.

The Superintendent of Mines, Mr. J. L. D'Arcy Irvine, has done his utmost to efficiently carry out the constantly increasing work, but his staff is insufficient to enable mining operations to be properly supervised and controlled, and the whole department needs strengthening and re-organisation. Among other things, I think that special provision should be made for the appointment of a practical geologist, who would carry out systematic boring operations on behalf of the Government, and furnish information of the utmost value in determining the direction of roads, and the general development of new districts. It is worthy of remark that, although mining is by far the most important industry in all the Native States, there is no properly organised Department of Mines in any of them. Such a department is urgently needed in Selangor, and, in my opinion, the need could best be met by the creation of a central Land Office, under a commissioner exercising general control over all matters relating to land or mines.

Surveys.

45. The Surveys, formerly a branch of the Land Department, were formed into a separate department in 1892, under the present Chief Surveyor, Mr. J. Wellford, who is in charge of both trigonometrical and revenue survey work, and has six surveyors under him.

The acreage surveyed for revenue purposes comprised 18,931 acres, of which 10,142 acres were of newly-surveyed and 8,789 acres of re-surveyed land. The necessity for re-surveying so large an area was partly caused by the resumption of land by Government for new roads and other public purposes, but mainly by the want of a proper system, prior to 1892, of connecting all surveys and charting them on to uniform sheets, as well as by the neglect of boundary marks. As stated by the Chief Surveyor, the demarcation and re-survey of an old boundary is almost always at least twice as difficult and expensive as the survey of a new block of corresponding area. The total number of titles prepared in connexion with the Land Code amounted to 1,128, and since each is prepared in duplicate, this means that 2,256 diagrams were drawn and the same number of descriptions written out. The demarcation of customary holdings by native demarcators, who prepare sketch plans of their work, although useful for land settlement, is not sufficiently accurate to be plotted in agreement with adjoining surveys.

46. Various district and town boundaries were surveyed during the year, and roads and rivers traversed. Triangulation was extended to Kajang, and three hills fixed in the Ulu Langat District, while three others were cleared. The existing base line, $2\frac{1}{2}$ miles in length, is at Kuala Lumpur, and a new base line is about to be surveyed, in conjunction with Perak, on the Bernam River. Much additional information has been obtained since the last issue of the Selangor map in 1884, and it is proposed to issue a new map, on a scale of two miles to the inch, during the current year. Several alterations and corrections will be shown on the new map, the most important of them

being a rectification of the coast line, and the thanks of the Government are due to Commander Field of H.M.S. *Egeria*, who connected his triangulation of the Straits of Malacca with various points of the Selangor survey.

The general work of the Survey Department has been very good.

VIII.—LEGISLATION.

47. Six meetings of the State Council were held during the year, and the following Regulations were passed :—

- I.—Fixing the minimum width of cart-wheels at three inches. (To prevent excessive wear and tear of roads.)
- II.—Providing for the police supervision of habitual criminals.
- III.—Compelling ships to carry lights.
- IV.—For the licensing and control of jinrikshas.
- V.—For the quarantine of ships and passengers arriving from infected ports. (Passed during prevalence of plague in Hong Kong.)
- VI.—For the licensing and control of tin-smelters and charcoal-burners.
- VII.—Limiting certain survey marks to Government use.
- VIII.—Providing for the licensing and control of street stalls by the Sanitary Boards.
- IX.—Abolishing the system of passes to persons leaving the State.
- X.—Providing for the registration of, and prohibiting unregistered, societies. (Directed against Chinese secret societies.)
- XI.—Punishing adultery of Muhamadans. (Passed by special request of the Raja Muda and other Malay members of Council.)
- XII.—Providing for the collection by Government of an import duty on opium on the abolition of the opium farm.

IX.—PRINTING.

48. In addition to the Selangor Government work, including the publication of 34 Gazettes, all the Sungei Ujong printing work, and most of that for Pahang, was carried out by the Printing Department of this State. The general Government work is rapidly increasing, especially in connection with the railway, and all the type and machinery are in constant employment. Both Malay and Chinese type, as well as English, is largely used, but the office has not yet been able to procure any Tamil type, and notices in that language have accordingly hitherto been lithographed. During the year an additional printing machine was set up, and a Hornsby-Akroyd oil engine (3½ H.P.) was purchased to drive the machinery, and has proved very successful.

Although the printing office was extended in 1893, the work has increased so rapidly that the space is again becoming cramped, and it will probably soon be necessary to further enlarge the building, as more room is already required for the bookbinding, of which, as well as printing, a large amount is carried out by this department. Both the quantity and quality of work turned out during the year reflect much credit on Mr. John Russell, the Government printer, and his assistants.

X.—ADMINISTRATION OF JUSTICE.

49. The total number of cases dealt with during the year amounted to 8,807 (2,711 civil and 6,096 criminal), against 8,370 in 1893 and 7,998 in 1892. There were 21 appeals to the Chief Magistrate from decisions of District Magistrates, and three appeals from the court of the Chief Magistrate to that of the Resident.

During the latter part of the year there were considerable arrears in both the court and office work at Kuala Lumpur, and steps have recently been taken to strengthen the official staff by the appointment of a Registrar. On the subject of these arrears, most of which have since been cleared off, the Chief Magistrate writes as follows :—
 “ It is not only that the number of cases heard increases, but that each year as our
 “ relations with other countries become closer and more important, and as the State is
 “ developed, the average case increases in complexity, and requires more care and
 “ time for its decision, and the office work and departmental papers follow suit,
 “ whilst the staff remains practically at the strength at which I found it in 1890.”
 Two of the regulations passed in 1894 dealt with matters specially affecting the courts, one giving power to order terms of police supervision, to follow sentences of imprisonment, in the case of habitual offenders, the other providing for the detention of absconding debtors. The Chief Magistrate, Mr. A. T. D. Berrington, has in many ways improved the procedure of the local courts and, as far as is possible, carefully

supervises the work of the District Magistrates; but the whole legal and judicial system of the protected Malay States needs revision and re-organisation. In a later part of this report I have indicated the means which, in my opinion, should be adopted to secure what is required, and, in the meanwhile, instructions have been issued rendering it obligatory on all junior officers to pass an examination in Law.

XI.—POLICE AND PRISONS.

50. The strength of the force consisted of a captain and assistant superintendent and four European inspectors, in charge of a Sikh and Malay contingent, the former consisting of 209, the latter of 452, non-commissioned officers and men, and the total cost for the year amounted to \$142,000. Captain Syers, the captain superintendent, who has been in charge of the Selangor police force since it was first established, was absent on leave during the whole year.

51. The Sikh contingent was composed of one Sikh and one Pathan company, but it is not considered advisable to continue this system of combining men of different nationalities and creeds, and only Sikhs will be enlisted for both companies in future. The only military inspector was absent on leave, and during his absence the drill and musketry instruction was mainly left in the hands of a native sergeant-major, with somewhat unsatisfactory results. The discipline of the men, who are employed solely on guard and other military duties, is reported as having been fairly good.

Owing to the renewal of disturbances in Pahang during the month of June, Captain Lyons, acting captain-superintendent, with two European officers and 100 Sikh non-commissioned officers and men, were at once sent across the frontier, and took an active part in suppressing the disturbances, two men being killed and two wounded in the attack on the insurgents' stockades at Jeram Ampai. The European officers and most of the men returned to Selangor in August, but a contingent of 30 non-commissioned officers and men remained in Pahang, where it is still serving. His Excellency Major-General Vaughan-Jones, C.B., the General Officer Commanding the Troops in the Straits Settlements, inspected the Sikh and Pathan police in the month of November, and made various suggestions for improving their organisation, several of which had already been foreshadowed by Mr. Treacher. The chief of these, namely, the substitution of Sikhs for Pathans, the engagement of native officers from India, the organisation of a regular recruiting system, and the arming of the whole force with Martini-Henry rifles, are now being carried into effect.

52. The Malay contingent was short of the establishment by 26 men at the end of the year, and it was found so difficult to induce Malays of a good class to enter the force that many Javanese and Tamils were enlisted, although experience has shown that such recruits seldom become efficient policemen in the Malay Peninsula. Several of the older members of the force left on account of the introduction of new rules for good conduct pay, under which they were called on to sign engagements for three years, and were informed that the scale of pay would be reduced at the expiration of that term. All the usual police duties are performed by the Malay contingent, and some improvements were introduced into the system of patrols and station reports. Drill was confined to the elementary stages, and, I believe, for the first time for several years, no musketry was practised by the Malays. The reason given for this is that it would have been dangerous to attempt it without the supervision of an European officer, and none could be spared for the duty. The Malay contingent is armed with long Snider rifles and sword bayonets, both of which are unwieldy weapons for comparatively small men. Now that it has been decided to supply Martini-Henry rifles to the Sikhs, I think that Martini-Henry carbines (taking the same cartridge as the rifles) and lighter bayonets should be supplied to the Malays.

53. I regret to be obliged to place on record my opinion that neither the Sikh nor Malay contingent of the Selangor police is at present in an altogether satisfactory condition, and much care and attention will be necessary to render the force thoroughly effective. Among other things, I think that the present proportion of European officers to native police should be increased, as it is only 1 to 100 in Selangor, as compared with about 1 to 50 in the Colony and 1 to 40 in Perak.

Crime.

54. The number of criminal offences reported at the various police stations amounted to 9,612, as against 8,792 in 1893. The increase is said to have been caused by (a) increase of population; (b) greater readiness to report matters at police stations; and

(e) new regulations and conservancy by-laws, creating additional offences. The number of persons charged in criminal cases amounted to 6,253, of whom 4,235 were convicted. There were 12 cases of homicide, in seven of which the perpetrators of the crime were arrested, tried and convicted, the sentences being: in one case, death; in two, 20 years' rigorous imprisonment; in four, imprisonment for shorter terms (the offence not amounting to murder); and in one—the prisoner being proved to be of unsound mind—detention during His Highness the Sultan's pleasure. There were six cases of gang robbery, in connection with five of which arrests were followed by convictions, and there were five cases connected with secret societies. On the whole, there was not much serious crime, and the action of the police in the detection and arrest of criminals may be considered fairly satisfactory. The detective branch of the force consisted of two Malay and ten Chinese detectives, who are reported to have done some good work, but it is always most difficult to obtain trustworthy native detectives in the East.

Prisons.

55. The total number of prisoners at the end of the year amounted to 372, of whom 349 were confined in the gaol at Kuala Lumpur, and the remainder in the various district lock-ups. The number dealt with during the year amounted to 2,320, of whom nearly 90 per cent. were Chinese, and among whom there was only one European and one Eurasian. Fourteen females were admitted.

There was an increase of 31 in the number of old offenders, as compared with 1893, 273 against 242, and the re-convictions were as follows:—

One previous conviction	175
Two " "	63
Three (or more) " "	35
Total	<u>273</u>

It is suggested that this increase may be partly due to lenient sentences, and to the prison treatment not being sufficiently deterrent; but the causes of recidivism are always somewhat complex and obscure. Now that the new gaol at Kuala Lumpur is ready for occupation, although still unfinished, it will be possible to organise a more efficient system of prison labour and discipline, and from the beginning of 1895 all prisoners in the State will be confined at Kuala Lumpur and extra-mural employment will cease. Most of the convicts will be occupied for at least 12 months in levelling the ground, breaking stones, carrying bricks, &c., in connexion with the building operations still in progress within the gaol walls, but some of them will be employed on rattan work, coir-mat making, and other remunerative labour. The conduct of the prisoners is reported as being generally good, especially having regard to the difficulty of maintaining discipline in widely distributed buildings and in temporary association wards. Five hundred and sixteen prisoners were admitted to the infirmary, of which number 14 died, giving a percentage of 2·7 fatal cases.

The general Prison Regulations of the Straits Settlements have been adopted in Selangor, including the system of grading prisoners and varying scales of diets. The Prison Department is under the charge of the Captain-Superintendent of Police.

XII.—TRADE AND SHIPPING.

56. The value of imports is returned as \$12,925,602, and of exports as \$12,139,686, showing a total volume of trade amounting to \$25,065,288, and the following statement gives a comparison between the years 1893 and 1894:—

Year.	Imports.	Exports.
1893	9,274,650	10,271,809
1894	12,925,602	12,139,686
Increase	\$3,650,952	\$1,867,877

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The principal import was rice, while the principal export was tin, and a comparative statement is appended, showing the quantities and values of these articles imported and exported during 1893 and 1894:—

Year.	Rice Imported.			Tin and Tin Ore Exported.		
	Pkls.	(Tons.)	\$	Pkls.	(Tons.)	\$
1893	607,003	(36,040)	1,781,157	293,041	(17,399)	9,688,238
1894	715,610	(42,489)	3,125,760	370,964	(22,025)	12,042,942
Increase	108,607	(6,449)	1,344,603	77,923	(4,626)	2,354,704

57. The total tonnage of shipping, entered and cleared at all ports, amounted to 394,684 tons.

The trade is almost exclusively with the Colony of the Straits Settlements, mainly with Singapore, and the shipping chiefly consists of small coasting steamers. A new steam launch, the "Enid," was built for the Government by Messrs. Riley, Hargreaves, and Co., of Singapore, and the steam launch, "Abdul Samad," after 16 years' service, was condemned as unseaworthy, and sold by auction. The coast lighthouses were well looked after during the year.

XIII.—POSTS AND TELEGRAPHS.

Postal.

58. The number of articles dealt with by the Post Office was 955,495, an increase of 14 per cent. as compared with 1893. As pointed out by the Superintendent, however, the increased number of articles dealt with, although it affords valuable testimony to the growing importance of the State, does not necessarily produce a corresponding increase in the postal revenue, as letters despatched to places beyond the Straits Settlements and the Native States must be stamped in Selangor with Colonial stamps, on which no profit is realised by this Government, as they can only be purchased from the Colony at their face value. Again, the Chinese system of sending "clubbed packets" by post makes the stamp fee the amount of which was originally calculated on the basis of single letters, prepay the cost of about 15 separate letters. The rates, per half-ounce for letters beyond the Straits were raised by the Colonial Government in March from five cents to eight cents, and for local letters from two cents to three cents. These increased rates partly account for the very large increase in the number and value of stamps sold, as compared with 1893. The number sold amounted to 472,348, many of which were purchased by stamp collectors in different parts of the world, and the value represented \$11,142, showing an increase of 70 per cent. and 68 per cent., respectively, over the returns for the previous year. Money orders were only issued from two offices—Kuala Lumpur and Klang—but the question of issuing them from every post office in the State is now under consideration. Colonial one-cent post-cards have hitherto been used in the State, but it has recently been decided to issue Selangor post-cards for local correspondence.

Telegraphs.

59. The total number of telegraphic messages sent during the year amounted to 123,879 as against 103,359 in 1893. To facilitate communications, the minimum charge has purposely been fixed at as low a rate as possible, and for the sum of 10 cents (at the present rate of exchange less than $2\frac{1}{2}d.$) a message of five words can be sent to any part of the State, all addresses being transmitted free. Morse recording instruments are now used on all the more important lines, replacing "sounders," as it was considered inadvisable to trust to the latter in the case of code messages and messages in languages foreign to the operators, and the result of this change has proved satisfactory. A new line, connecting Kajang with Sepang, a distance of 30 miles, was constructed during the year at a cost of \$2,143, and there are now 370 miles of telegraph, and 48 miles of telephone, wires to be maintained, 285 miles of which are on iron and 133 on wooden poles. The cost of maintenance in 1894 for all lines was \$3,639, as against \$6,132 in 1893, and \$4,671 in 1892; thus justifying the initial expenditure on account of iron poles, as, in spite of the increased mileage, the cost of maintenance has fallen 60 per cent., and the number of interruptions has been

considerably reduced. The Selangor telegraphic system has been extended to Kuala Lipis in Pahang, a distance of 46 miles beyond the State boundary. SELANGOR

60. Special telephone wires, connecting Cheras with Kajang, Sungei Besi and Ulu Langat, were erected during the year, the length of these extensions amounting to 19½ miles. I hope that it will soon be possible to establish a Telephone Exchange at Kuala Lumpur, as there are now so many offices, works, estates, and mines within a radius of a few miles from the Post Office that such an exchange would be of great convenience to the public.

61. A telegraph conference was held at Penang in December, under the chairmanship of Captain Anderson, R.E., Deputy Colonial Engineer, at which various questions affecting both the Colony and Native States were discussed and settled, the chief of them being a general simplification of accounts.

62. Owing to the department being short-handed, the Acting Superintendent had unusual difficulties to contend with, and these were intensified by the defalcations of one of the clerks, who was subsequently prosecuted and sentenced to three years' imprisonment at Singapore.

XIV.—EDUCATION.

63. The principal event connected with education in Selangor was the opening of the Victoria Institution in the month of July, under the headmastership of Mr. B. E. Shaw. The funds for building this Institution, which provides a good English education for boys of every nationality and is intended as a memorial of the Jubilee of Her Majesty the Queen, were partly raised by a Government grant of \$5,000 and partly by private subscription, H.H. the Sultan, and the Raja Muda, as well as the leading Chinese and Tamils, being liberal contributors. The endowment is provided by a special rate on house property in Kuala Lumpur, and by Government grants-in-aid, but the education is not entirely gratuitous, except in the case of poor boys, a fee of \$1 monthly being required from all those who are able to pay. The management is in the hands of trustees, of whom the Resident is, ex-officio, president. The advantages of this school are thoroughly appreciated, both by the boys and their parents, and the number of scholars, now amounting to 150, is constantly increasing.

The examination for the "grant-in-aid" was held by the Inspector of Schools in December, when 128 boys were presented for examination, and 95 per cent. obtained passes, including 11 for special subjects. The grant earned amounted to \$1,504; but I hope that the system of payment by the results of individual examination will soon be discontinued, as it tends to encourage too exclusive attention being paid to the brighter and more forward boys, and the recently drafted Education Code provides for assessing the grant, as in England, on the basis of general efficiency. Two scholarships have been founded by private subscription, for the industrial or other training of poor boys on leaving the school, and these scholarships have been named after Mr. Treacher, who was mainly instrumental in establishing the school, and has devoted much personal attention to it from the first.

64. The 22 vernacular schools for boys were frequently visited by the Inspector and native visiting teacher, and are reported to be fairly efficient. The average number of boys on the register was 831; the average attendance 656, or rather more than 78 per cent. The greatest improvement introduced during the year was the more systematic teaching of Romanised Malay, a knowledge of which more than doubles a boy's chances of employment on leaving school. Education in the vernacular schools is entirely free.

I regret that no provision has yet been made for female education in Selangor, and hope that this may be remedied, during the ensuing year, by the establishment of an English School for Girls at Kuala Lumpur, under a certificated schoolmistress, and of two or more vernacular schools in the out-districts.

XV.—CHINESE SECRETARIAT.

65. The most important work of this department is the protection of women and children, who would otherwise be bought and sold for purposes of prostitution; but much is also done in the settlement of disputes among the Chinese, by means of arbitration; in the translation of all important official documents; and in the registration of labourers. The Chinese Secretary also advises the Government on all purely Chinese affairs, and acts as an intermediary between the Government and the Chinese community.

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The returns of the Cooly Depôt at Kuala Lumpur, through which all Chinese labourers pass, on their way to the mines and estates where they are employed, show that 22,942 coolies were registered during 1894, of whom 9,717 were "sinkhehs"—i.e., men newly arrived from China.

66. The Tai Wah Institution, erected at a cost of \$4,060, was opened in November, and provides accommodation for about 40 incurable patients. This asylum is mainly supported by a voluntary contribution levied on all exported tin, and is managed by a Committee, of which two-thirds of the members are Chinese. The funds are in a flourishing condition, although the asylum is constantly full, and this provision for indigent persons, suffering from the effects of old age or incurable disease, reflects much credit on Chinese liberality and supplies a long-felt want. One of the original objects of the institution was the assistance of indigent and decrepit Chinese to return to their homes in China, but the practical difficulties of carrying out any scheme of repatriation have hitherto been found to be insuperable. As a branch of its work, the Committee has purchased four bullock ambulance-carts, for conveying sick persons from the mining districts to the Kuala Lumpur hospitals.

67. The Tung Shin Institution, at present carrying on work in temporary premises, will shortly be removed to a permanent building, in the immediate neighbourhood of Kuala Lumpur, which is now almost ready for occupation. This institution consists of a hospital and out-door dispensary, where sick Chinese receive medical treatment from their own doctors, and an additional ward provides free shelter for the destitute. The whole initial expenditure and cost of maintenance are borne by private individuals, whilst the institution itself is entirely managed by a Chinese Committee, under the Chairmanship of the Capitan China, although it is at all times open to the inspection of the Residency Surgeon and the Chinese Secretary. The experiment of a Chinese hospital, supported by private benevolence, and with native medical treatment, is one which will be watched with much interest.

XVI.—THE SECRETARY OF STATE'S DESPATCH.

68. The despatch of the Secretary of State on the Reports of Residents for 1893 only reached me after this Report had been written, and many of the points commented on by His Lordship have already been dealt with. The following, however, have either not yet been mentioned, or appear to need further elucidation, taking, *seriatim*, those paragraphs of the despatch which refer to Selangor:—

(6) the principle upon which pensions and allowances to Native Chiefs are based in this State is partly one of compensation for emoluments formerly enjoyed, and partly of payment for actual work done: the former being raised—*e.g.*, in the case of Native Rajas—as the prosperity of the State increases, although not in the precise ratio of such increase: the latter, in the case of Penghulus, or Headman in charge of mukims (sub-divisions of districts), for improved work and greater responsibility.

(8) The promise shown by Liberian coffee has been well maintained, but there has been a decrease in the export of copra, the amount exported in 1894 being only 280 tons, as against 317 tons in 1893.

(11) A Regulation for restricting charcoal burning was passed during the year, but, on an urgent petition from the Chinese, supported by the Native Members of Council, its operation was deferred until the beginning of 1896, as it will involve the reconstruction of nearly all existing smelting furnaces, for which several months are required.

(12) The trunk road from Perak to Sungei Ujong, *viâ* Selangor, over which I recently drove, from end to end, is now in thoroughly good order.

(13) The coast road from Bernam to Sepang, which also connects Perak and Sungei Ujong, has been completed, with the exception of seven miles on the Sepang side, which will be provided for in 1896. The construction of about nine miles of the road from Kuala Kubu towards Raub and Kuala Lipis has been practically completed; the survey of another section of eight miles has been completed, and tenders have been invited for the construction; whilst, on the Pahang side, between Raub and Kuala Lipis, some ten miles have been surveyed. In every case the line is being surveyed from both ends, and as soon as any section is surveyed tenders are invited for construction.

It is not proposed to continue the road towards the Ginting Peras Pass and Jelebu, beyond the eight miles already constructed through the Sungei Lui Valley, as it would not be justifiable to incur the expense, except with the view of making a railway (referred to elsewhere), the connection between Jelebu and Sungei Ujong, both of

which States are under one administration, being far more direct than between Jelebu and Selangor.

(14) The results hitherto shown by the Government Factory, as set out in detail under "Public Works," cannot be considered more than partially successful. No system of technical instruction to young natives has yet been organised, but the matter will be dealt with in the Estimates for 1896, on the same general lines as those laid down for the volunteers and apprentices already engaged in the Railway Workshops and in the Medical, Survey and Telegraph Departments.

(15) Provision for female education will also be made in the estimates for next year.

(17) The Medical staff has been strengthened by the appointment of another District Surgeon, and another duly qualified Apothecary.

(19) The proposed Regulation was passed for the supervision of habitual criminals, but it cannot be said to have yet reduced the number of reconvictions.

XVII.—GENERAL.

69. His Highness the Sultan, notwithstanding his very advanced age, still takes a keen interest in the development of the State, especially in connection with planting enterprise, and, with the assistance of the Raja Muda, has much extended and improved the fruit orchards and coffee and rice plantations surrounding the Istana at Jugra.

His Excellency the Governor visited Selangor in April and October; on the latter occasion opening the railway extension to Kuala Kubu, the head-quarters of the Ulu Selangor District, and laying the foundation-stone of the new Government Offices.

Mr. W. H. Treacher, C.M.G., British Resident of the State, went on leave in October, and the acting appointment was filled by Mr. J. P. Rodger, British Resident of Pahang.

70. The Balau District of Sungei Ujong was administered by this State during the past year, and was connected by a cart-road, seven miles in length, with Samunieh. All expenses of administration were borne by Selangor, and the revenue was equally divided between the two States concerned. The district was found to contain rich deposits of tin, which are now being successfully worked, and administration will be resumed by Sungei Ujong during the year 1895.

71. The Malay Headmen, almost without exception, have done good work during the year under review, and have endeavoured to develop the resources of their respective districts by introducing new settlers and improving their primitive methods of cultivation. The Government has assisted them with loans, to enable them to purchase new seed, buffaloes, ploughs, etc., and an excellent example is set to them by the Raja Muda, the grandson and heir of the Sultan, who has large cocoanut and sugar plantations in the Kuala Langat District.

72. Towkay Yap Kuan Seng, the Capitan China, and Towkay Iok Yew, who are both members of the State Council, have invariably shown the utmost readiness to co-operate with the Government in all matters affecting their countrymen, and it is greatly owing to their loyal and valuable assistance that such good relations exist in Selangor between the Government and the Chinese community—a community which now comprises at least a hundred thousand persons, and includes practically all the tin miners in the State. The liberality of the Chinese has been well exemplified by their voluntary taxation for the establishment of a hospital and asylum for indigent persons, who, either from old age, chronic disease, or other causes, cannot be adequately treated in the ordinary pauper hospitals; and by their purchase and maintenance of four ambulance carts, for conveying sick coolies from the mines to the hospitals. The result of a careful enquiry as to the food and sanitation of coolies employed by Chinese mine and estate owners has shown that the food is good and sufficient, but that the sanitary arrangements, especially in connexion with the supply of drinking water, leave much to be desired. Fortunately, the universal custom of drinking tea, and thus boiling all water, materially diminishes the evil effects of a bad water supply, but the whole subject is now engaging the attention of Government, with a view to remedial legislation.

73. A steady increase is shown in the number of persons belonging to various Indian nationalities, chiefly Sikhs and Tamils, and also of natives of Ceylon, the former being usually employed as cart drivers and coolies, the latter as artizans and mechanics. All these native races have taken readily to various forms of athletic sport, and the sight

of men of every race, colour, and creed assembled together on the cricket or football field affords striking evidence of the good results attending British protection, whilst the mere assembly for a common purpose, by teaching men of different races to know and respect one another, exercises a by no means unimportant influence on their general civilisation. Now that the Victoria Institution has been opened—a fitting memorial of Her Majesty's Jubilee—their children also have at last the opportunity of meeting in the class-rooms and on the playground of a good English school.

74. The increasing difficulty of obtaining hard-wood timber, within a reasonable distance of any town or mining centre, accentuates the necessity for protecting and planting valuable trees. It is a mistake, however, to suppose that such trees are usually cut down by charcoal-burners and subsequently used for smelting tin, as this is comparatively seldom the case, the timbers preferred for smelting purposes being those obtained from “kempas” and “kumus” trees, both of which are of little value for building. The main causes of the destruction of hard-wood trees, in cases where they are not used for timber, are really the indiscriminate clearing of jungle for mines and plantations, and the supply of firewood for pumping engines at the mines. I hope that the recently erected electric turbine at Rawang, of which the motive power is water, will shortly be followed by others, and that the present wasteful expenditure in firewood will thus be reduced; but we are awaiting the return from leave of Mr. Ridley, the Director of the Botanical Gardens in Singapore, to organise a general system of forest conservation.

75. The development of planting, mainly in connexion with the cultivation of Liberian coffee, both by Europeans and natives, has made very rapid strides during the last few years, and is one of the most reassuring features connected with the progressive development of the State. There is still, of course, a large area of metalliferous land, unworked or only partially worked, for mining purposes, but, sooner or later, the deposits of alluvial tin (and no true lodes have yet been discovered) will be worked out, and the continued prosperity of the State will then depend upon whether or not tin mining has been replaced by some more permanent industry. Fortunately, the planting of Liberian coffee in Selangor has now passed beyond the experimental stage, and may fairly be considered an assured success, not merely at Klang, although planters have recently shown a special predilection for that district, but in every district of the State. It may now also be asserted, without much fear of contradiction, that, contrary to the opinion formerly prevailing, Liberian coffee grows as well as or even better in rich, low-lying ground than on the hills. As far as Selangor is concerned, this has been conclusively proved by the present condition of the coffee estate planted in the neighbourhood of Klang, some ten years ago, by the Datoh Dagang, as the coffee on this estate, notwithstanding the somewhat negligent cultivation of native landholders, compares favourably with the most highly-cultivated hill-grown coffee in any part of the State. The importance of this discovery can scarcely be over-estimated, as it renders immediately available for profitable cultivation vast tracts of land in the coast districts, where metalliferous deposits are practically unknown, whilst it leaves the inland districts fully available for purposes of mining. Again, although the high price of coffee has recently attracted the special attention of planters to this particular form of cultivation, the soil and climate of Selangor are well adapted for other tropical products—such, for example, as pepper, gambier, indigo and sugar; possibly also cacao and tobacco—and the fluctuation of prices may at any time cause a rapid change in the relative areas of land under cultivation for one product rather than for another.

76. The cultivation of rice is still, unfortunately, in an unsatisfactory condition, as it is only carried on on a small scale, and without the careful ploughing, embankments, etc., so universal in the rice districts of Penang and Malacca. It has never been taken up by Europeans, and the native planters grow little more than is sufficient for their own requirements, although an excellent market lies at their doors, more than 715,600 pikuls (42,480 tons) of rice having been imported into the State during the year under review, mainly for the consumption of the miners. A vote of \$5,000 has been placed on the estimates for the current year, for the purpose of carrying out preliminary surveys in connexion with an irrigation scheme in the Kuala Selangor District, recommended by Mr. Claude Vincent, an officer of the India Government who reported on this subject during the year 1893. Should it be found feasible to carry out the scheme proposed, it is to be hoped that the cultivation of swamp padi will be largely increased, although the local Malays take comparatively little interest in the matter, and, to ensure success, it will probably be necessary to colonise the district, as has

already been done on a small scale, with more energetic and industrious planters from Java, Sumatra, Kedah and Kelantan. In connexion with this scheme an attempt should also be made to establish a rice mill, to which padi could be brought from all the surrounding districts, as is now done with coffee, in the case of the coffee mill recently established by Mr. H. Hüttenbach at Klang.

77. So much has been written, in the local press and elsewhere, on the alleged difficulties and restrictions connected with European planting enterprise in Selangor, that it would not be fair to the State to leave the subject entirely unnoticed in this Report, although I do not propose to deal with it in detail. I am not prepared to assert that difficulties and restrictions do not exist, although their extent has been somewhat exaggerated, but such of them as are not necessarily incidental to the conditions of the State (*e.g.*, the keen competition for labour between contractors, miners and planters, and the occasional clashing of planting and mining interests in the inland districts) will, I hope, gradually be removed, and planters may rest assured that the Government is as anxious as they are themselves that their enterprise should be rewarded with every success. Experience, however, has shown that granting concessions of large areas of land for planting purposes, without any provision for actual cultivation, conduces rather to the promotion of companies than the encouragement of agriculture, and I am glad to be able to state, from personal observation, that *bonâ fide* planters do not object to a fair cultivation clause, and also to call attention to the fact that every coffee estate in Selangor is now being cultivated with success. The formation of a Planters' Association, of which Mr. E. V. Carey is the energetic Chairman, is a matter for general congratulation, as European planters can now express their views on any subject with the weight attaching to conclusions arrived at by a representative body, and the Government can deal with them collectively, instead of individually. I hope that the time is not far distant when a representative of the planting interest will be invited to become a member of the State Council.

78. The completion of the Kuala Kubu Extension, by which the Selangor Railway system is brought within 20 miles of the Pahang boundary, reopens, or at least brings into greater prominence, the question of the best route for extending this line into Pahang, a question which has been much discussed, but never finally settled, during the last six years. The vicissitudes of railway extension into Pahang may be briefly recapitulated as follows:—In the year 1888 the pass beyond Kuala Kubu, now known as the Ulu Semangko Pass, was inspected by Mr. Swan, a private Engineer, and shortly afterwards, in 1889, by Mr. Spence Moss, at that time the Government Railway Engineer, with a view to future railway extension. The reports of both these gentlemen were somewhat unfavourable to the adoption of this route at the time, on the ground of expense, but no other route had then been examined, nor had the Selangor Railway been extended beyond Kuala Lumpur. During the year 1889, the question of railway extension from Selangor was provisionally dropped, and it was determined to extend the Sunjei Ujong line, *via* Sri Menanti, to Temerloh, the central District of Pahang, the railway terminus being fixed at Kuala Semantan, a point on the Pahang River about midway between Pekan and Kuala Lipis. This line was accordingly surveyed and set out in detail, but, owing to financial difficulties, the work of construction was never commenced. In the year 1890 it was proposed to extend the Selangor line to Temerloh, *via* Jelebu, and a survey was made of the Ginting Peras Pass into Jelebu, with the view of carrying this proposal into effect, but it was subsequently decided to examine other passes before coming to any final decision. Since that date the Ginting Bidai and Ginting Simpah Passes, both leading into the Bentong district of Pahang, have been examined, and also the Ulu Kali and Ulu Bernam Passes, leading into different districts of Ulu Pahang.

79. In the Annual Pahang Report for 1892, I suggested that the objective of the railway in Pahang should be Kuala Lipis rather than Temerloh, as Kuala Lipis is the centre of all the richest mining districts in Pahang, and the river between Temerloh and Kuala Lipis (a distance of 100 miles) is practically impassable, even for launches of the lightest draught, during the dry season. On the other hand, river transport between Temerloh and the Coast is always available, and it is a matter of considerable doubt whether, except possibly during the north-east monsoon, when steamer communication between Singapore and Pahang is somewhat irregular, any line of railway between Temerloh and the west coast of the Peninsula could successfully compete for traffic with the river and sea communications connecting Pahang with Singapore, whilst, owing to the difficulties of river transport above Temerloh, such a line would be

SELANGOR. practically useless to the inhabitants of any district in Ulu Pahang. Assuming, therefore, that Kuala Lipis is the proper objective for the first railway terminus in Pahang, the question of routes is narrowed to a selection between the passes lying to the north of Ginting Peras, of which Ginting Simpah has been ascertained to be better than Ginting Bidai, and Ulu Kali and Ulu Semangko than Ulu Bernam. The advantages of Ginting Simpah, as compared with Ulu Kali and Ulu Semangko, are that the route is slightly more direct, and that, on the Pahang side, it passes through the stanniferous district of Bentong, but, from a Selangor point of view, these advantages are probably more than counterbalanced by the fact that 40 miles of railway extension towards Pahang, from Kuala Lumpur to Kuala Kubu, have already been constructed, and that, other things being nearly equal, the best route is that which enables this extension to be best utilised—in other words, the route *via* Ulu Semangko, the pass immediately beyond Kuala Kubu. The attached map* shows the various routes proposed and partially examined, at different times, and it will be seen from this map that there is no very material difference in height between any of the passes named, nor, as far as has been ascertained, is there any marked difference between their relative facilities of access.

80. The absolute necessity of improving communications in and with Pahang, by means of roads and railways, has been constantly urged during the past six years, but, unfortunately, with little practical effect until the recent commencement of a trunk road from Kuala Kubu to Kuala Lipis, a distance of 70 miles. Now, however, that Selangor has undertaken to provide whatever financial assistance may be required for carrying on the administration of Pahang, it becomes more than ever important for this State that whatever is essential to the development of the internal resources of Pahang should be carried into effect, and it is therefore now proposed to survey the various northern passes, which have hitherto been only cursorily examined, with the view of ascertaining which of them, if any, should eventually be selected. The preliminary survey of these passes cannot be completed much before the end of 1896, by which date further materials will be available, in connection with the general development of Pahang, for arriving at a decision as to the advisability, or otherwise, of extending the Selangor Railway line into that State. In the meanwhile, the trunk road to Kuala Lipis will be constructed as rapidly as possible, and the earthwork of this road should be practically completed before the end of 1896, although it will not, of course, be metalled throughout by that date, but it should be ready for traffic, from end to end, during the year 1897. In addition to serving the purpose of immediately facilitating transport between Selangor and Pahang, the construction of this road will materially expedite the progress, and diminish the cost, of subsequent railway extension.

81. I have much pleasure in bringing to His Excellency's notice the generally excellent manner in which both Departmental and District Officers have performed their duties during the year, notwithstanding frequent changes in the holders of appointments, and the fact that their offices have usually been shorthanded. The revenue of Selangor in 1894, amounting to \$3,334,468, as against less than four million dollars for the whole Colony of the Straits Settlements, with a capital of \$450,900 invested in Indian securities and on Bank deposits, of \$537,000 in loans to other Native States, and of \$3,311,540 in a remunerative Government railway, sufficiently denotes the general prosperity and commercial importance of this State. The result is eminently satisfactory, and reflects equal credit on the officials and on the miners and planters, who have been instrumental in bringing it about; but I venture to think that all the Protected Malay States, on the west coast of the Peninsula, have now reached a stage in their development when more formal administration will further rather than hinder their progress, and that, their conditions being practically identical, one uniform legislative, administrative and judicial system should be adopted for them all. Hitherto, unfortunately, each State has been allowed to legislate for itself, with little or no reference to the others, and the result has been that the same subject has been differently treated in different States, and that many elaborate enactments, frequently of a highly technical character, adopted or adapted from Indian or Colonial Ordinances, have now to be interpreted and enforced by somewhat primitive Courts and an insufficient staff of officials. What is first required is the appointment of a legal adviser for the Native States, to assist the various Governments concerned in consolidating, revising, and, above all, assimilating the heterogeneous mass of Orders, Rules and Regulations already in force, and in drafting such new enactments as may be found to be necessary. A Judge, with full powers of revision and appeal, in all

* Not printed.

civil and criminal cases, should also be appointed, who would go on periodical circuits through all the States, and before whom alone capital cases should be tried. When the local enactments have been revised, and the States possess a Judge of Appeal and an officer occupying the position of an Attorney-General, lawyers might, with advantage, be allowed to practise in the State Courts, at all events in the Court of Appeal, and, in my opinion, the substitution of competent legal advisers for the present very mixed body of semi-legal "petition" writers, whose numbers are rapidly increasing, will be a distinct gain both to the public and to the magistrates. It is much to be regretted that the two most important States, with adjoining boundaries, similar conditions, and apparently identical requirements, should have passed legislative measures of so widely different a character, as has been the case in Perak and Selangor. To avoid the possibility of such divergency occurring in the future, and of the Native States drifting even further apart, it is to be hoped that some scheme of federation will soon be elaborated which, whilst preserving the individuality of each State, will connect them all in such a manner as to ensure, not merely departmental efficiency and economy but also that general continuity of policy and solidarity of interest so essential to their progressive development and permanent success.

I have, &c.,

J. P. RODGER,

Acting British Resident.

SELANGOR

THE ADMINISTRATION REPORT ON THE STATES OF SUNGEI UJONG AND JELEBU FOR THE YEAR 1894.

SUNGEI
UJONG AND
JELEBU.

FINANCE.

Revenue.

1. The revenue of Sungei Ujong and Jelebu amounted to \$397,130, being an excess of \$5,622 on the estimated revenue and an increase of \$8,153 on the revenue for 1893. This is the largest revenue collected in any one year since these States came under British Protection.

2. The excesses are principally on Land Revenue, Licenses, and Posts and Telegraphs, and the principal deficiency is under Customs. Whereas the tin duty collected in Sungei Ujong is \$4,141 more than that collected in 1893, the duty collected in Jelebu is \$11,329 less than that collected in the previous year.

Expenditure.

3. The expenditure of the State amounted to \$364,082, being \$33,047 less than the revenue, and shows a saving on the estimated expenditure of \$13,191, and a decrease on the expenditure for 1893 of \$12,479. Appendices A-H* give the financial returns for the year in regard to revenue and expenditure.

Assets and Liabilities.

4. Appendix J* gives a statement of the assets and liabilities of the States. On the 1st of January 1894, this return showed a debit balance of \$195,689, and on the 1st of January 1895, this balance was reduced to \$170,905. A sum of \$9,970 was paid during the year to the State of Selangor, being a part payment in regard to a loan from that State.

TRADE.

5. I forward a Comparative Return (L)* of Imports and Exports for the years 1893 and 1894. The value of the imports was \$2,309,674, and of the exports \$1,933,056. The value of the imports was about \$240,000 more, and the value of the exports about \$300,000 less than in 1893. The decrease in the exports is in regard to tin, and there is a small increase in regard to tapioca and coffee.

6. The total number of steamers arriving at the ports of the State from Singapore was 315 in 1893, and 389 in 1894. The total number of departures for Singapore in 1893 was 269, and 286 in 1894.

* Appendices not printed.

LEGISLATION.

7. There were four meetings of the State Council at which 18 Orders were passed. The principal ones referred to opium, the registration of the marriages of British subjects, the use of uniform weights and measures, the prevention of the introduction of contagious and infectious disease into the State, the better management of prisons and prisoners, and a Regulation to define the constitution and powers of Civil and Criminal Courts.

ADMINISTRATION.

8. Mr. R. N. Bland administered the State as Officer-in-Charge. The Financial Officer, Mr. C. C. Trotter, was on leave during the year, and his duties were performed by Mr. Desborough. Captain Mackenzie, the Superintendent of Police, also went on leave, and his duties were performed by Mr. Bathurst in addition to his own duties as Collector of Land Revenue Seremban.

9. From what I have seen during the short time I have been here, the Chiefs must do a fair amount of work, as very few Malay civil cases are brought into the Courts of the State. The Chiefs of Sungei Ujong and Jelebu, however, have adopted the Mohamedan law (Hukum Sharah) in regard to inheritance, property, &c., thus any such cases go before the Kathi's Court. In the Negri Sembilan the Chiefs still adhere to the customary laws, and, failing a settlement in their Courts, the cases are brought into the Courts of Requests. More work is thus thrown upon the Chiefs in the Negri Sembilan than in Sungei Ujong and Jelebu.

LAND AND AGRICULTURE.

10. The estimated Land Revenue for the whole State was \$27,400, and the actual revenue was \$35,537, but the increase over 1893 was only \$580.

11. In the early part of last year, Mr. Maxwell, who was then administering the Government of the Strait Settlements, ordered that no more leases should be issued in Jelebu—i.e., that the operation of the Land Regulations, which had been passed with some difficulty and much explanation only a few years previously, were, in so far as the people were concerned, annulled. In September it was ordered that no more leases should be issued in Sungei Ujong, but that a form of extract, taken from the Selangor Land Code, stating that such and such a person claimed such and such a piece of land should be given instead of a lease. These extracts are meaningless, as they have nothing to do with the Land Regulations, which have not been repealed, and no fresh Order has been passed defining what value as titles these documents carry. I believe that even in Selangor, where they are issued under the conditions of a Land Code, their value as a title by registration under the Torrens system is exceedingly doubtful.

12. The Chiefs and the people have strongly opposed having anything to do with these extracts, and the Government has no powers to force the people to take them out.

13. It is necessary in this Report for me to refer to this condition of affairs, as both the Collector and Magistrate of Jelebu (Mr. Arthur Keyser), and the Collector of Land Revenue, Seremban (Mr. Bathurst), deprecate the attempt to issue these meaningless extracts. They have been the cause of a loss of revenue to the State; the upsetting of the minds of the people in regard to land, and suspicion as to the *bonâ fides* of the Government in offering them these documents instead of leases signed and sealed by the Chiefs and by the Resident as hitherto; and, finally, a general block in the working of the Land Department of the two States.

14. I do not wish to write in any controversial spirit, neither do I in any way condemn the Selangor Land Code or the working of it as a whole. What I do think has been a mistake, is to have thought it possible to avoid the issue of leases under the Land Regulations by seizing upon a form from the Selangor Land Code which has no meaning here.

The people are all prepared to pay enhanced rents, provided that they receive leases for their lands, thus the States would in no way suffer pending the decision which is expected to be arrived at in regard to Land Laws in the Protected Native States generally. I trust that in my Report for 1895 I shall be able to state that a more satisfactory *modus vivendi* has been arrived at.

15. *Rice*.—In Sungei Ujong there is not much land under rice cultivation, but from the Land Officer's report it would appear that harvests were good, and that the cultivation was carefully carried on. In Jelebu, Mr. Keyser reports that the harvest is good, and that the area of land cultivated by the people has increased. He also draws attention to the large areas available for rice cultivation, which foreign Malays should be encouraged to take up. In the Coast District about 200 acres were applied for for rice cultivation.

16. *Coffee*.—Three leases were issued to coffee planters in the Seremban District, the area leased being about 2,500 acres. In the Coast District there were seven applications by natives for small areas amounting to 69 acres.

17. The Collector of Land Revenue, Seremban, reports that the proprietors of the various coffee estates have largely extended their operations; that a new field has been opened on the Linsum Estate, and that the Ribu Estate has been greatly improved. The syndicate owning the Sinawang Estate has opened up about 300 acres of coffee, and Mr. Dunman has shown great energy in the opening up of a considerable area at Terentang, adjoining Sinawang. A fair area of land also has been opened on the Gunong Angsi Estate.

18. *Pepper*.—There is a considerable cultivation of this creeper in the Coast District, and, as pepper requires mulching, gambier is grown in connexion with it, and the refuse, after cooking the gambier and extracting the juice, is used to cover the land on which the pepper is planted.

Gambier.—In my report on the Negri Sembilan I made some remarks on the planting of gambier, and, as I have since been asked to give further information on the subject, I will add here to what I have already written. It is my opinion that European planters would find that the planting of gambier is a profitable investment, and it would certainly be greatly to the advantage of the State if gambier was planted and cultivated by Europeans instead of being planted and shortly abandoned by Chinese. Land is now given at the rate of 75 cents quit-rent per acre to Chinese and Malays in the Coast District, but if Europeans would plant gambier and *cultivate* it, I consider that this quit-rent might be considerably reduced. The export duty is 10 cents per pikul. There is one somewhat serious disadvantage to the State in *re* the cultivation of gambier, and that is, that for every 100 acres to be planted about 50 acres must be allowed for firewood for the cooking of the product. That is the present system. The planter pays rent on 150 acres, but he only plants on 100 acres.

The Collector and Magistrate of the Coast District (Mr. W. Willes Douglas) gives me the following figures in regard to working an independent gambier estate for an area as described above:—

Expenditure 1st year	-	-	-	-	-	\$	2,707
Sale of gambier : 80 pikuls at \$10, less export duty	-	-	-	-	-		792
Loss on working	-	-	-	-	-		1,915
Expenditure 2nd year	-	-	-	-	-	\$	2,512
Sale of gambier : 480 pikuls at \$10, less export duty	-	-	-	-	-		3,752
Profit on 2nd year	-	-	-	-	-		1,240
Expenditure 3rd year	-	-	-	-	-	\$	2,512
Sale of gambier : 540 pikuls at \$10, less export duty	-	-	-	-	-		5,346
Profit on 3rd year	-	-	-	-	-		2,834

The expenditure for the three years would thus stand at \$7,731, and the receipts at \$9,890, leaving a profit of \$2,159.

In so far as adulteration of gambier is concerned, I understand from Mr. Douglas that the presence of water in gambier is not due to intentional adulteration, but in consequence of insufficient drying. Adulteration is effected with small amounts of clay or sand, but in that case it would appear that the merchant purchasing the gambier could protect himself, as with careful sampling such adulteration would be easily discovered, and a lower price would be paid for the produce.

MINES AND MINING.

19. Had it not been for a rent of \$1 per acre being charged for mining lands, the revenue under land rents would have been very poor. Out of a sum of \$4,619 collected as land rents, a sum of \$1,813 was for mining lands in the Seremban District. Twenty-nine mining leases for a total area of some 450 acres were issued in Seremban, also 3 permits. In Jelebu 1,618 acres were leased for mining purposes, and a rent of \$1 per acre charged.

20. The following table shows the revenue derived from tin during the last five years :—

Year.	Seremban.	Coast.	Jelebu.
	\$	\$	\$
1890 - - - - -	48,771.03	—	18,160.96
1891 - - - - -	49,445.49	—	24,766.43
1892 - - - - -	53,647.83	248.99	77,184.81
1893 - - - - -	69,606.15	447.77	97,462.65
1894 - - - - -	73,747.56	210.04	86,133.57
Total - - - - -	295,218.06	906.80	303,708.42

21. It will be seen from the above return that the revenue from mines in Sungei Ujong is steadily increasing, whereas that of Jelebu has decreased. The mines in Sungei Ujong have increased principally on the Setul side of the State—that is, towards the Selangor boundary. In Jelebu an exceptionally rich and shallow valley, called Titi, was rapidly worked out in 1892 and 1893. The output of tin in these two years went up by leaps and bounds, and fell away slightly last year, principally in consequence of this valley being worked out. The check may be more severely felt in 1895, but Mr. Keyser reports that there is plenty of mining land left. New valleys and mines, however, require some little time to become productive, and I trust that if there is a decided check it will only be a temporary one. It is impossible to conceal the fact, however, that the Titi Valley was exceptionally rich, and that other land equally rich may be hard to find.

22. The following is an extract from Mr. Keyser's report :—"During the year the Jelebu Mining and Trading Company worked incessantly to prospect the alleged tin lode in the hills of Sungei Rin. A considerable sum of money has been spent by them in this, and the work, under the immediate supervision of Mr. Roberts, has been carried on with such elaborate detail and patience that when a final report is made there should be small doubt as to its accuracy. There are indications which admit of hope that the lode may be proved a true one, and if this is so, the writing of my next report on the prospects of the State will be an agreeable task."

SURVEYS.

23. In the Seremban District, 51 lots were surveyed—viz., 36 agricultural and 15 mining. These contained an area of 3,015 acres. Also 30 building lots, containing an area of 72,000 square feet. In Jelebu, 57 agricultural lots were surveyed, containing an area of 81 acres, and 109 mining lots, with an area of 800 acres. In the Coast District, 97 agricultural lots were surveyed, containing an area of about 300 acres.

24. The Superintendent of Surveys reports that, in addition to this work, a great deal of engineering work was done by the staff. In Seremban the traces of the Bukit Putus, Sungei Balau, and Ulu Pedas roads were completed, also the traces of a proposed deviation from Ampangan to Pantai. In the Coast District a bridle-path was traced to Pasir Panjang and on to Sengkang. In Jelebu traces were made for a road to Peradang, as also a bridle-path to Jerang.

25. The plans issued in duplicate on surveys completed numbered 266, and a sketch map of the States was completed and lithographed.

POLICE AND CRIME.

26. The strength of the force consists of one superintendent and two inspectors, and the Sikh contingent numbers two sergeants, one corporal, 10 lance-corporals, 41

privates, and two buglers. The Malay force numbers one sergeant-major, six sergeants, seven corporals, 12 lance-corporals, and 102 constables. There are also five police detectives. The total force estimated for numbered 207, but this was reduced by two Sikh lance-corporals and 11 privates.

27. The superintendent of police reports that the Malay force is worse paid than in any other of the Natives States, and, in consequence, complains of a poor class of recruit. He is of opinion that although it is right that a recruit should join on \$8 a month, yet as soon as he has learnt his duties that his pay should be raised to \$9 a month. He also recommends good conduct pay up to \$2 a month, and argues that this would improve the class of men. There is nothing in my opinion so useful in keeping up the standard of a Malay force as good conduct pay, but it was decided that it should be abolished in all the States (in this State good conduct pay was never given). I am confident that the standard of the police would not be so low had it been given here in former years.

28. The conduct of the force is reported to have been good. Three men were charged before a magistrate, and 127 men were punished, but only for offences of a trivial nature. There were nine dismissals. The Sikhs were well spoken of when sent to Selangor during the Pahang disturbances.

29. The health of the force has been good, but some of the Sikhs had to be invalided to India on account of fever after the Pahang disturbance. Four Sikhs and four Malays were admitted into hospital.

30. Out of 2,140 cases reported, 830 persons were arrested, 741 were brought before a magistrate, and 1,061 were told to proceed by warrant or summons. One murder was committed during the year.

31. The registration of births and deaths, of carts and carriages, and the working of the Weights and Measures Regulation are in the hands of the police. The expenditure for the force amounted to \$39,519, and the revenue collected was \$10,212.

32. The superintendent reports that a fire-engine was purchased, but that very few fires occurred. With reference to drill, the Sikhs and Malays are drilled at head-quarters both in Sungei Ujong and Jelebu. The Malay police are drilled twice a week, which is deemed sufficient. There is an annual course of musketry, and there is a special course for recruits.

PRISONS.

33. The acting superintendent (Mr. W. L. Braddon) reports that the Seremban Gaol during the year subserved the various functions of a police lock-up, a criminal prison, a lunatic asylum, and a treasury. When I arrived here on the 4th of January 1895, I arranged for the building to be relieved of its subservient requirements as soon as possible, and at the time of writing it is a criminal prison only.

34. Mr. Braddon did his best to keep persons awaiting trial entirely separate from the convicts, though it appears quaint that it should have been the custom to incarcerate these persons within the walls of a gaol. There was, however, no other accommodation for them in the way of police lock-ups. 587 of these persons were admitted, of whom two died, 582 were discharged into the hands of the police, and three remained on the 1st of January, 1895. 256 convicts were under detention during the year, of these 63 remained from 1893, and 193 were new admissions. Out of this total number three died, 10 were transferred, 194 were discharged, and 49 remained on the 1st January 1895.

35. The Acting Superintendent reports:—"The number of admissions to the infirmary was 138, giving a sickness rate of 57·9 per cent. The ailments treated were not usually severe, and consisted for the most part of fever, diarrhœa and dysentery." Eighteen lunatics were under detention; seven cases remained from 1893 and the total includes two re-admissions. Of these 15 were discharged, one died, one was transferred to hospital, and one remained at the beginning of the year 1895. One convict attempted to escape, but was recaptured.

36. Although the Acting Superintendent gives full returns of work done and value of work as against the cost of the gaol, he points out that when such a state of affairs occurs as described in paragraph 33 the figures give no useful information.

37. The staff now consists of one gaoler, one turnkey, and 14 warders. Of this number, eight are detailed for duty within the gaol and six for extra mural work, and Mr. Braddon reports that this number is inadequate, allowing only three men to be available for duty at six-hour shifts within the gaol, field gangs requiring, if possible, two warders to be always associated in charge whenever there are more than four convicts sent to work. The warders are well reported on, and the Acting Superintendent has arranged for them to be drilled, which was not done formerly.

38. In the Jelebu Gaol 25 remained on the 31st December 1893, and 183 were admitted. Discharged and transferred 194, and 14 remained on the 1st of January 1895. There was one attempt to escape, but the prisoner was recaptured. There were no deaths.

At Port Dickson four convicts are allowed to be kept in two cells at the Police Offices. They are in charge of the police.

39. The Seremban Gaol is old and is not such a convenient building as it might be, but it is marvellous to find it so clean and in such excellent order, and I would here record my high appreciation of Mr. Braddon's management and supervision.

COURT.

40. I attach as an appendix* a return of the work done in the Courts of the State during the year. The revenue collected from all the courts amounted to \$5,320.

PUBLIC WORKS.

41. The total expenditure for this department, inclusive of establishments, &c., was \$142,198, which was \$30,359 less than the estimate. A number of works were either cancelled or postponed during the year. The amount spent under works and buildings was \$21,206. With the exception of Minor Works and Current Repairs votes, the only works costing upwards of \$1,000 were warders' quarters, office for financial officer, and boundary wall to Jelebu Gaol. I notice that a fire engine was purchased under this heading of expenditure. Quarters for the Residency Surgeon were commenced, but not completed. The Superintendent of Works and Surveys (Mr. Caldicott) reports that shingles were used in re-roofing the Collectorate in Jelebu. He is of opinion that shingle roofs would be cheaper in the long run than atap roofs, which require constantly renewing, whereas a shingle roof has a life of about 20 years. He deplores, however, the initial cost of shingles in consequence of heavy freight expenses.

42. Under roads, streets, and bridges the total expenditure was \$95,694. The two principal works were the construction of a cart-road to Balau, costing \$17,178, and the construction of a cart-road to Bukit Putus joining the road from Kuala Pilah, costing \$17,868; and \$1,714 was expended on a road to the Rembau boundary. A sum of \$4,736 was spent on the construction of bridle paths throughout the State and a road was extended from Peradang to Pesasi in Jelebu, and \$1,410 was expended on road construction in the Coast District. The balance of the expenditure is principally in connexion with metalling, upkeeps, town roads and drains, &c.

43. Mr. Caldicott reports that the Bukit Putus Road is over a good trace and that although, only mining metal and sand have been used on it, yet it is a good serviceable road, and in this I fully concur. He remarks that mining metal, sand, and any sort of stone or hard material that may be found handy, has to be used on the roads, as the sums voted will not allow of thorough metalling. This is evidently the case; but, at the same time, I think the results are not bad and that little more can be expected from States which have not got large surplus balances.

44. Mr. Caldicott deems it a pity that the trace of the road to Lenggeng from Setul should have been taken over a range of hills, as the trace he recommended was over flat ground and was shorter. The reason why the hill trace was selected would appear to be because it was considered necessary by the Officer-in-Charge to bring the road out on the Seremban side of the Setul Police Station. The hill section has been very costly, and it might have been cheaper (if this was the reason) to have moved the police station.

45. The Kenabui Road was nearly completed by the end of the year by the contractors. It was arranged that this road should be paid for in 1895; the Jelebu Mining and Trading Company being the contractors both for the construction and metalling.

* Not printed.

46. In dealing with labour, the Superintendent states that ordinary cooly labour was more plentiful during the year than in previous years, but he regrets that he cannot report any improvement in the quality of building work. The cost of work has to be cut down to the lowest figure, and there is not enough constant work to induce skilled workmen and reliable contractors to come to the State.

From what I have seen of the work done in the State, and considering the difficulties which I know must exist in carrying out works where no reliable contractors are to be had, I consider that Mr. Caldicott is to be complimented on the results obtained.

RAILWAY.

47. I forward in the form of an appendix a comparative statement of receipts and expenditure for the years 1893 and 1894. The receipts for 1894 show a decrease of \$3,266, but the expenditure shows a saving on the local working of \$3,997.46.

48. The following figures may be of interest :—

	1893.	1894.
Number of miles run - - -	37,266	36,258
Gross receipts per train mile - - -	2.27.13	2.24.43
Gross expenditure per mile - - -	1.79.68	1.77.71
Net earnings per mile - - -	0.47.45	0.46.72
Working expenses of gross receipts - - -	79/11%	79/18%
Average monthly receipts - - -	\$7,053.52	\$6,781.34
Average monthly expenditure - - -	5,580.09	5,369.57

The manager reports that the decrease in receipts was greatly due to one of the mining companies in Jelebu reducing its operations. The expenditure, however, has been reduced, and at the time of writing further reductions have been effected.

49. I would refer to what has before been written in regard to the railway and the Linggi Road in the reports for 1892 and 1893. Had not the railway been made, it would have been absolutely necessary, considering that this road was the only route for all supplies for Sungei Ujong and Jelebu, to have re-constructed very nearly the entire road, and it would have had to have been extended towards Kuala Linggi as the river had so silted up that only the smallest steamers can reach Pengkalan Kempas. This would, in my opinion, have cost \$120,000, and, with the heavy traffic which it would have had to stand, I should say that \$8,000 would have been required for upkeep annually, *i.e.*, that the State would have incurred about \$150,000 to date, inclusive of new wharves and buildings further down the river. So far, the State has had to pay \$35,766 for the first year's guarantee, \$22,119 for the second year, and \$19,778 for the third year, making a total of \$77,663 and also a total of about \$8,000 for the upkeep of the Linggi Road. Whether Jelebu could ever have been opened up as it has been without a railway, is exceedingly doubtful, and the State would certainly have had to make cart-roads through the district now opened by the railway with which easy connexion can now be made at a small expense. Had not the railway been made, it would have cost the State at least another \$100,000 in roads to open up this district. Thus I estimate that it would have cost the State an initial expenditure of \$220,000 and annual upkeeps of about \$12,000, to have developed the State as the railway has developed it, and that without the State having the facilities which a railway gives for the development of distant inland districts. In my opinion, the State has gained by this railway enterprise, and I only wish I could show that the Railway Company had also done so, but, with the heavy fall in exchange since the completion of the railway, this is, I fear, impossible.

HEALTH.

50. The Residency Surgeon, Mr. W. Leonard Braddon, F.R.C.S., reports as follows :—
 “ The health of the community at large has been good. No epidemics have appeared during the year. The usual, almost annual, occurrence of foot-and-mouth disease amongst cattle was, as generally, of a very mild type. The total number of deaths recorded in Sungei Ujong upon the Police Register was 657, in Jelebu 212. Taking the census of 1891 as a basis this would give death-rates per mille as follows :—Sungei Ujong : Malay 26.6, Chinese 46.8, Tamils and others 47.16, total mean rate 36.15. In Jelebu nationalities are not distinguished, death-rate 39.” Mr. Braddon

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thinks that deaths in out-districts are not recorded, and that the death-rate may be put at 40 per mille, which, as he remarks, is extremely high.

51. There were treated in all hospitals 3,717 cases—viz., in-patients 1,526 and out-patients 2,191. There is an increase over last year, but a decrease over former years. I enclose returns* of the number of cases treated suffering from various diseases for both Sungei Ujong and Jelebu. The general mortality for all cases treated at the hospital was 10·3 per cent., which the Residency Surgeon says is “chiefly an infirmary for old or debilitated Chinese paupers.” The number of cases of beri-beri for the four years 1891–1894 was 258, 169, 300, and 273. The number of uncomplicated cases of beri-beri was 249, and the number of deaths 20, or a percentage of 8. Out of 24 cases with complications the number of deaths was nine, or a percentage of 37. The average percentage is 10·7. The highest percentage in the last four years was 16, and the lowest 6·66.

52. Mr. Braddon writes:—“No specific, unfortunately, being known as a remedy for the disease (beri-beri), the treatment is still a routine one of feeding and tonics. The variations in mortality depend upon factors not therapeutic, such as the age of the patient, the severity of the dose by which he has become infected, the opium habit, &c. As every beri-beri patient remains in hospital for a period on an average of two months, at a cost of at least 20 cents per diem, it would be well if the Government could adopt another means of meeting this serious expenditure. I believe the erection of a seaside hospital, especially designed for beri-beri patients, would be a measure of undoubted economy in this regard. There is no doubt that change of climate is the measure of principal utility in the treatment of beri-beri. There is equally no doubt that a seaside climate has a more beneficial influence than any other. At such a hospital, I believe the period required for cure of these would be shortened by at least one-half, and that therefore the initial outlay would be speedily recouped by Government.”

Mr. Braddon suggested a spot close to Port Dickson, and, as I have the greatest confidence in his recommendations, I shall do all I can to arrange for such a hospital ward with as little delay as possible. It is quite possible that the Government of Selangor would join in this establishment.

53. The occupations of the indoor-patients at the General Hospital were as follows:—Police constables, 30; agricultural coolies, 256; mining coolies, 276; and miscellaneous, 224. The Residency Surgeon here remarks: “The general belief so widely held that it is upon the mining coolies that disease is chiefly incident is seen to be far from being the case. As regards beri-beri particularly, I have pointed out elsewhere that in the Settlement of Malacca, in which the mining element is unobtrusive, beri-beri is far more widely prevalent and equally as severe as in mining districts.”

54. The total number of patients treated in the Jelebu Hospital was 490, and the mortality was 11·2 per cent. There were 261 beri-beri cases, and 22 deaths, or a death-rate of 8·4 per cent. Fourteen hundred out-patients were treated here, as against 791 in Seremban, and I am of opinion that a dispensary in the town of Seremban would be very valuable, as the hospital is about a mile and a half distant and on the top of a hill. One hundred and sixty-three Malays were treated as out-patients in Jelebu, which is considered gratifying.

55. A new female ward was built, which the Residency Surgeon says he had constantly asked for, and it contains accommodation for eight female patients. He now wants a better mortuary, a ward for lunatics, and the institution of a good water supply.

56. The lunatics were, as I have said before, kept in the gaol, but arrangements have been made for them to be at the hospital by walling off a part of a ward. Mr. Braddon states: “The cases are generally instances of partial imbecility aggravated by want or trouble, of mild melancholia following sometimes the use of opium or occurring through moral influences. There was no case of mania properly so called.”

It appears to me from the above that nothing could be worse for such people than the dismal surroundings of a gaol, whereas at the hospital most of them will be able to be

* Not printed.

out of doors and kept occupied, which will probably have the result of restoring many of them in a shorter space of time.

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METEOROLOGICAL.

57. The usual returns appear in the appendix.* The highest recorded rainfall during 24 hours was at Linsum, 2.96 ins. on 21st of April. The greatest fall in any one month was at Pengkalan Kempas, where 20.06 ins. were registered in July.

The highest and lowest shade temperature during the year were 99° Fah. Seremban on 6th March, and 64° Fah. Seremban on the 24th of July. The mean shade temperature for the year was 80.8° Fah.

EDUCATION.

56. There were 10 schools in Sungei Ujong, but one of these was closed as the attendance was insufficient. There were, therefore, nine schools, at which the total number of boys on the registers was 351, and the average attendance was 241. The highest average attendance was 38.09, and the lowest 15. In the Coast District there are two schools, at one of which there was an average daily attendance of 23, and at the other 17. There are three Malay schools in Jelebu, in regard to which the Collector and Magistrate cannot give a very satisfactory report, but he is sanguine of better results later.

POSTS AND TELEGRAPHS.

59. The revenue collected by this department was \$6,714, as against \$3,565 in 1893 and \$2,972 in 1892. The large demands for stamps by collectors are reported not to have been met, and that had there been more stamps the revenue might have been larger. The number of mail matters received and despatched in 1894 was 133,859; and in 1892, 78,574.

The number of telegrams sent in 1894 was 46,265; and in 1892, 37,603.

The Post and Telegraph Master reports that the want of an extra clerk has been very badly felt, especially since the introduction of the new Telegraph Regulations.

There is an increase in the money order business of \$3,811.

POPULATION AND IMMIGRATION.

60. I notice from the returns that, as against 12,111 Chinese arrivals at the ports of the State, there were only 9,660 departures, thus it would appear that the Chinese population had somewhat increased. By routes to Selangor and to Negri Sembilan the number of Chinese immigrants exceeds the number of emigrants by 134.

61. The Assistant Indian Immigration Agent reports that fewer Tamil coolies have been imported since the establishment of the department. I enclose a return* given by him. Of the total of 151 coolies, three died, 10 deserted, and 73 were discharged on expiry of agreement. The death-rate was the lowest it has ever been—viz., 1.9 per cent. On Linsum Estate a dresser is employed by the proprietor.

62. For the whole State, including all nationalities, 865 deaths were reported to the police. The registration of births was not commenced till January 1895.

PRINTING.

63. The thanks of this Government are again due to the Government Printer of Selangor, Mr. Russell, for the excellent manner in which all the printing work of this State is carried on.

SECRETARY OF STATE'S DESPATCH.

64. It does not appear that the payment to Chiefs in this State has increased, neither would it appear that such payments require to be increased even with an increased revenue (*vide* paragraph 5 of Lord Ripon's despatch).

I have already referred to the mining in Jelebu under Mines. I am of opinion that the check is only temporary, but I think that it will be more severely felt in 1895 than

* Not printed.

it has been felt during the year under review. Jelebu, however, has been well opened up with the assistance of the revenue derived from the rich valley of Titi Petaling, and I must not omit to add that the greatest credit is, in my opinion, due to Mr. Keyser for the manner in which this far inland State has been developed. It is impossible to make any forecast in regard to such an uncertain industry as mining, but I feel perfectly confident that, whatever the conditions may be, Mr. Keyser's energy and anxiety for the welfare of the State will insure the best results that can be obtained.

65. The prospects of Liberian coffee are excellent, and every encouragement should be given by the Government to European planters to acquire land in the State for the cultivation of coffee and other permanent products, and that at a minimum cost for land. It is not the land that the State requires heavy premia and rent upon, but it is by giving land liberally that the Government hopes to see large acreages developed in permanent cultivation, employing a large population, and yielding good profits. These results would in themselves create a sound and increasing revenue from numbers of indirect sources, and the permanent prosperity of the State might then be looked upon as decided.

66. I have already reported under Public Works in regard to the Bukit Putus Road.

67. In so far as education is concerned, the returns for the year are satisfactory, but to say that education is compulsory in this State would be ridiculous.

68. All that can be done, as revenue allows, is being done in regard to sanitation, and I hope before long to arrange for dispensaries both in Seremban and Kuala Klawang.

GENERAL.

69. The Datoh Bandar continues to act as ruler of the State, the Datoh Klana being a minor.

70. Mr. R. N. Bland was Officer-in-Charge during the whole year, and until the last few months of the year the State was under Selangor. In the Annual Report for 1893, Mr. Bland referred to this arrangement, and it is scarcely necessary for me to make further comment on it. In Sungei Ujong and Jelebu alike the arrangement was distinctly unpopular. In my Report on the Negri Sembilan I have referred to its amalgamation with Sungei Ujong and Jelebu.

71. As Mr. Bland proceeded on leave of absence early in April 1895, it was not possible for him to write the Annual Report of these States for the year in which he had taken so much interest in their progress, and been unsparing in his efforts to increase their prosperity. The results for the year point to this, and point also to the good work done by the officers of the various departments and the collectors and magistrates of districts.

MARTIN LISTER,
British Resident.

THE ADMINISTRATION REPORT ON THE STATE OF NEGRI SEMBILAN FOR THE YEAR 1894.

FINANCE.

Revenue.

1. The revenue for the year is \$137,876 and exceeds the actual revenue for 1893 by \$6,938, but is less than the estimated revenue by \$12,278. The estimate for land revenue was exceeded, but that for customs was not realised.

2. In previous years the export duty on tapioca and other exports for December, which was collected in January, was credited to December, but last year it was deemed advisable to close the books entirely for revenue on the 31st of December. Thus, in regard to certain revenues, the returns are only for 11 months. Had the former system continued, the revenue would have exceeded \$140,000, and shown an increase over 1893 of over \$10,000.

Expenditure.

3. The expenditure amounts to \$144,678, and includes a sum of nearly \$12,000 for interest on the loan paid to the Colony of the Straits Settlements. The increase in expenditure over 1893 is about \$12,000, and occurs under roads, streets, and bridges in consequence of the connexion of Sungei Ujong and Kuala Pilah by cart road.

The appendices* A, B, C, D, and E, give complete returns of revenue and expenditure.

Assets and Liabilities.

4. Appendix F gives the statement of assets and liabilities.

TRADE.

5. There is no doubt that, with an increasing revenue, trade has also increased. With regard to tin, the trade remained about the same as in 1893, and in regard to tapioca it increased, although prices scarcely improved.

LEGISLATION.

6. There was only one meeting of the State Council during the year, viz., on the 29th of December. At this meeting an order was passed for increasing the width of the tires of cart wheels, this having been done in the other native States.

ADMINISTRATION.

7. I am still perfectly prepared to uphold the collection of the import duty on opium by the State and the abolishing of the opium monopoly farms. At the end of the year a difficulty arose with the future spirit and pawnbroking farmer, his object being to obtain certain indirect rights over opium which I could not recommend. It almost appeared at one time as if he was going to give up the farm. Had he done so I was quite prepared, on behalf of the State, to arrange for the collection by the State of the import duty on spirits, and for the licensing of pawnbroking shops.

8. The general administration of the State has been as satisfactory as in former years, and the Chiefs have in every case continued to give their assistance in carrying out reforms.

9. I have to report the death of Tunku Saiyid Hamid, of Tampin. He was succeeded by his son, Tunku Dewa, as ruler of this small State.

10. The Resident (the Hon. Martin Lister) was absent on leave from the 26th of March to the 13th of November. During his absence, Mr. A Hale, the district officer of Tampin, was in charge of the State.

11. It was decided to arrange for the amalgamation of the Negri Sembilan with Sungei Ujong and Jelebu. This is a perfectly natural combination, and is simply the restoration of the Negri Sembilan (nine States) to what they were in the middle of the century prior to the quarrels and dissensions which occurred on the introduction of foreign (Chinese) capital into the country.

LAND AND AGRICULTURE.

12. There is no doubt that a great improvement exists in regard to customary lands, and all lands under Malay tenure are now being thoroughly cultivated. There was in former years a very considerable amount of land claimed to have been purchased from the "Waris," or inheriting tribe, but not as yet brought under cultivation. Subject to the representations of the Chiefs, and also subject to certain conditions for bringing the land under cultivation within a fixed period, I decided that documents of title should be granted for these lands on payment of the same assessment as is in force for cultivated lands. The people are now rapidly bringing these lands under cultivation. Had the State resumed the land, it would have created great dissatisfaction in the native mind, and it would have been very difficult to have prevented or controlled

* Not printed.

intrigue and petty difficulties which the claimants would have created for the obstruction of others applying to Government for these lands, to which, according to their views of land tenure, the former considered themselves entitled.

13. There is little more to add to what I have written in previous years regarding tapioca. The factories of the State are very fairly maintained, and I can still report favourably on the regulation for the planting of only two successive crops. We are all satisfied here that where this has been the case it is only on account of poverty of soil or very careless working that the coarse grass known as "lalang" asserts itself. In other cases the forest growth re-appears, and the land is still, if I may use the word, an asset of the State or of the planter.

14. There are a few pepper, gambier, and coffee gardens in the State. Pepper bears good crops, but prices have ruled very low during the year. Liberian coffee has been planted by several natives, and it does well, although it does not receive the same attention in cultivation at their hands as it would from European planters. The price of gambier rules very high, and the cultivation of this shrub should be very profitable. My experience of gambier planted by the Chinese and some Malays is that it is merely planted and not cultivated. For the first few years the plants are weeded, but directly they become big and strong every sort of weed, and brush-wood even, is allowed to grow throughout the estate. It is very probable that gambier requires that the land should be covered, but this should be done by mulching. It cannot possibly be for the good of the plant that it should have to struggle with weeds and scrub, and I cannot but believe that if gambier was cultivated—that is, kept weeded, mulched, pruned, and manured—it might be a source of great profit not only to planters but to the State. In 1890 I was urged to encourage, in so far as possible, the planting of gambier, but I had to report that, from what I could see, the planting of gambier by the Chinese was not to the benefit of the State.

There is no doubt that with good prices ruling the Chinese make a very considerable sum of money out of gambier planting, and *that* without cultivation; but they constantly abandon their clearings to open others, simply because they ignore the *cultivation* of the shrub. It is a plant which exhausts the soil and, as I have said, requires good cultivation; but where it is badly cultivated and is constantly being abandoned for fresh land, and where, on abandonment the land grows "lalang," it is, in my opinion, more a curse than a blessing to the country.

MINES AND MINING.

15. These have remained stationary. Good results are obtained in many cases and with very small capital. If more capital was brought to bear on the alluvial tin deposits I am confident that there would not be more disappointments here than exist elsewhere in regard to mining. Nothing was done further to prospect the already discovered gold reefs in Gemenchah and on the Muar River, although at the time of writing there is some inquiry, and at Pasoh good results are said to have been obtained in prospecting. My opinion of Gemenchah, as a district rich in gold-bearing reefs, remains unchanged.

POLICE AND CRIME.

16. The conduct of the police has been good, and there have been but few dismissals. The force consists of Malays only. Sikhs would only be necessary if there was a large increase in the mining industries, and even then, if the mines were not concentrated in one valley or small district, and were distributed so that no very large number of miners was together, only a small force for guards would be required.

It was arranged during the year that the system of giving good conduct pay should be abolished in 1895. This necessitates an increase in salaries, and the State will be put to greater expense in the future. I am also of opinion that in abolishing good conduct pay the standard of the police force will become reduced.

17. Crime has not increased. There were three murders committed during the year. In one case the murderer, an old Malay man, was brought to justice. In another case one of the petty Chiefs of Rembau showed great negligence in regard to the arrest of the murderer, who has not since been heard of. The Datoh Penghulu dismissed this Chief from office. A Chinaman was found murdered in Gemenchah, but not till some

days after the murder was committed, and although the police were active in the matter no clue whatever was discovered in regard to the murderer, not even as to his nationality.

PRISONS.

18. A small prison, with quarters for gaoler and warder, has been built at Tampin. The Kuala Pilah Prison continues to meet requirements. The number of prisoners has not increased over the average number in former years. There were two escapes during the year of prisoners working with field gangs.

COURTS.

19. Attached is a return* of the work done in the courts of the State during the year, both civil and criminal.

PUBLIC WORKS.

20. No buildings of any importance were constructed during the year, and under roads, streets, and bridges the only work which calls for any comment is the Bukit Putus Road, $15\frac{1}{2}$ miles, at a cost of \$11,500. This expenditure was for the earthwork only, but included a considerable amount of blasting, and the construction of two bridges with random rubble abutments. The road is a well-graded one, and the cost has been \$740 per mile, which, in my opinion, is very cheap. It will be necessary to metal the hill section next year and also to put in permanent bridges.

SURVEYS.

21. Eight blocks of land, containing over 4,000 acres, were surveyed. Also 20 town lots and five suburban lots. The amount of fees collected exceeded \$2,000, and the expenditure was a little more than \$1,000.

EDUCATION.

22. In this State education is not compulsory, neither should I wish to see it made so. There are two schools in the State—viz., one at Kuala Pilah, and one at Rembau. The latter was only opened in October last year, but the school has done well during the year, the number on the register being 45. In Johol a class is still held, but the attendance is small. The next school to be established should be at the Istana, Sri Menanti, where I feel confident that his Highness the Yam Tuan would do all he could to make the school a success.

TEMPERATURE AND RAINFALL.

23. I enclose a return* of the rainfall taken at Kuala Pilah for the five years from 1890 to 1894. The rainfall for these years is not large, and Kuala Pilah itself is a dry place, probably drier than the surrounding country. The driest month of 1894 was February, and the wettest March.

HEALTH.

24. This has been satisfactory, and the State has been free from epidemics. Whereas 200 patients were treated in the Kuala Pilah Hospital in 1893, there were 338 patients treated in 1894. The death-rate for the previous year was 9.5 per cent., and for this year 4.73 per cent. In the Tampin Hospital the total number treated was 561 in 1893, and 700 in 1894.

25. In the Tampin district over 4,000 out-patients were treated, being an increase of more than 20 per cent. over last year. At the Kuala Pilah Hospital more than 2,500 persons obtained out-door relief, or an increase of about 60 per cent. over last year. At the Sri Menanti out-door dispensary, in the success of which his Highness the Yam

* Not printed.

Tuan takes great interest, over 1,200 persons were treated. An out-door dispensary is being arranged for in Rembau.

26. The hospital staff was working short during the year, in consequence of officers being on leave, and vaccination could not be carried on regularly. At the same time, over 400 persons were vaccinated.

SECRETARY OF STATE'S DESPATCH.

27. Referring to the first part of the paragraph 5 of this despatch, I would remark that in nearly all cases the payments made to Chiefs in this State are for work done. A percentage on certain revenues, such as tin, is paid to the representatives of the Waris, or inheriting tribe.

28. With reference to paragraph 6, I think there is no doubt that, by the confederation of the Negri Sembilan with Sungei Ujong and Jelebu, the expenditure for the confederate States will be more easily controlled. The revenue also should increase. Referring to paragraph 17 of the despatch, I may state that the Residency Surgeon of Sungei Ujong and Jelebu could be Residency Surgeon for the confederated States, and the present requirements of the Negri Sembilan would thus be fully met.

29. I have already stated under Public Works that the construction of the cart road from Kuala Pilah to Bukit Putus is completed. This will prove an important road in connexion with the amalgamation of Sungei Ujong and Jelebu with the Negri Sembilan.

GENERAL.

30. The one matter of general importance for this State has been the decision arrived at for its amalgamation with Sungei Ujong and Jelebu, referred to in paragraph 11 of this report and in the two foregoing paragraphs. The area of Sungei Ujong and Jelebu is about 1,200 square miles, and of Negri Sembilan about 1,800 square miles. Thus the confederated States will contain an area of about 3,000 square miles. There will be five districts, viz., Seremban, the Coast, Jelebu, Kuala Pilah, and Tampin. Seremban will be the head office, where the Resident and heads of departments will reside. Heads of departments will be for the whole State, and thus a double staff will be saved for the future, as, had the two States remained alone, it would have been necessary, as the Negri Sembilan developed, to make further appointments of European officers. The political affinity of the States is undoubted, and the same tribal and customary laws exist in both, together with the system of the election of the Chiefs.

The combined revenue of the two States for the year under review is about \$535,006 and the expenditure is \$508,760. The revenue exceeds the revenue of Selangor in 1884 by \$40,523, and it must be remembered that it is only within the last seven years that the Negri Sembilan and Jelebu have come under British protection for administration.

Although there is, in my opinion, no likelihood whatever of the discoveries of such immense alluvial deposits of tin in these States as have occurred in Selangor and Perak, yet by confederation there is far more prospect of the joint revenue being maintained and increased, as where revenue may fail in one district of the State (and in these countries this is not unusual, *vide* the Larut district of Perak) that of another district will probably support it. Again, as a larger State having the necessary resources to arrange for a good system of administration, it will attract more attention and, I trust, will attract more European enterprise in the direction of the planting of permanent products, as, in my opinion, it is in the planting of these that the future prosperity both of the Negri Sembilan and Sungei Ujong and Jelebu entirely depends.

MARTIN LISTER,
British Resident.

ACTING-GOVERNOR SWETTENHAM to MR. CHAMBERLAIN.
(Received August 10, 1895.)

Government Hill, Singapore,
July 24, 1895.

SIR,

IN continuation of Sir C. Mitchell's Despatch, of the 24th June,* I have the honour to transmit six copies of the annual report of the British Resident, Pahang, for 1894.

I have, &c.

J. A. SWETTENHAM.

Enclosure in No. 2.

The ADMINISTRATION REPORT on the STATE of PAHANG for the Year 1894.

The British Residency, Pekan, Pahang,
June 26, 1895.

SIR,

I HAVE the honour to forward, for the information of his Excellency the Governor, the Administration Report on this State for the year 1894. I regret that, owing to my prolonged absence in the neighbouring states of Trengganu and Kelantan, where I have been employed for some months on special service, I have been unable to forward this Report to you at an earlier date.

FINANCE.

2. The revenue collected in Pahang during 1894, amounted to \$100,220, being an excess of \$18,480 over the estimated revenue, and an increase of \$16,531 over the actual revenue collected during the year 1893. As I shall have occasion to mention in a later paragraph of this Report, a raid of a somewhat serious nature was made into Pahang by the rebel chiefs who were driven from the State in 1892, but, despite the check thus given to the progress of the State during 1894, the revenue collected during this year is more than double that collected during 1892, the year in which the Pahang disturbances first occurred. Thus, in spite of somewhat untoward circumstances, the revenue of the State of Pahang for 1894 shows a substantial advance on the collections made in former years, and is the largest sum which has been collected in any one year since the introduction of the residential system into Pahang.

3. The excess shown by the actual receipts over the estimated revenue is chiefly due to an increase of \$6,017 under the head of "Land and Mining Revenue," of \$9,904 under the head of "Customs," and of \$1,837 under the head of "Miscellaneous Receipts." No deficiency on the estimated revenue is shown under any of the main heads of revenue, the estimate having been more accurately framed than was the case in former years.

4. The following table shows the estimated and actual revenue collected in each district of the State during the year 1894:—

1894.	Pekan.	Ulu Pahang.	K. Pahang and Rompin.	Temerloh.	Kuantan.
Estimated - - - -	\$ 44,400	\$ 25,395	\$ 4,095	\$ 1,870	\$ 5,980
Actual - - - -	46,552	30,589	2,343	5,726	15,009
Excess - - - -	2,152	5,194	Nil.	3,856	9,029
Deficit - - - -	Nil.	Nil.	1,752	Nil.	Nil.

As in former years, the whole of the revenue derived from the farms has been credited to Pekan, the head-quarters district, although the greater portion of the receipts collected by the holders of these farms are obtained in the mining districts of Ulu Pahang and Kuantan. The increase shown on the actual, as compared with

PAHANG.

the estimated, revenue of these two districts is mainly due to the increased export during 1894 of gold and tin from European and native mines in Ulu Pahang, and of tin from the Pahang Corporation's mines in the Kuantan district. The increased revenue of the Temerloh district is due to the energy of Mr. T. C. Fleming and his successor, Mr. E. F. Townley, the collectors of that district, and, as it is almost entirely derived from agricultural rents paid by natives of Pahang holding land under native tenure, it may be regarded as a steady source of revenue which is more likely to increase than to diminish. The Kuantan district is the only one in this State which succeeded during 1894 in not only paying all local expenses but also in remitting a few thousand dollars to head quarters as a contribution to the general expenditure of the State.

5. The actual expenditure for the year 1894 amounted to \$249,120, as against an estimated expenditure of \$236,842, and thus shows an increase on the estimate of \$12,278, which is due to the unforeseen expenditure caused by the raid made into Pahang in June last, to which reference has already been made. The actual expenditure for the year 1894 shows an increase of \$26,884 on the actual expenditure for 1893, and this is mainly due to the same cause, and to some slight and unavoidable increases of expenditure under the heads "Police," "Miscellaneous Services," "Works and Buildings," and "Roads, Streets, and Rivers." The additional expenditure under the two last heads was rendered necessary for the repair and upkeep of existing public works.

6. The following table shows the actual revenue and expenditure of the Pahang Government from the 1st of July 1889, when the full administration of the State was first taken over, up to the end of 1894 :—

Year.	Revenue.	Expenditure.
	\$	\$
1889 (half year)	30,390.05	*141,683.38
1890	62,077.01	†279,665.07
1891	77,386.50	238,174.22
1892	†50,044.34	\$206,735.79
1893	83,688.47	‡246,606.67
1894	100,220.43	¶207,514.27

7. The two items of \$31,829.91, interest on loans from the Government of the Straits Settlements, and \$4,315.28, interest on loans from the Government of Selangor, which appear in the abstract** of expenditure for 1894 attached to this Report, are entered in that abstract in order to adjust the accounts, but do not represent money actually disbursed during 1894.

In referring to the statement** of assets and liabilities attached to this Report, I must again mention that the accounts of the Governments of Perak and Selangor against the Pahang Government, in connexion with the outbreak of 1892, are still being audited and adjusted, and that the sums claimed by these two States are not, therefore, included in the statement for 1894.

8. The State debt on account of money advanced to this State by the Government of the Straits Settlements amounted with interest on the 1st of January 1895, to \$912,169.67.

The State debt due to the Government of Selangor amounted on the same date to \$146,315.28.

* Exclusive of interest on loans	\$ 937.50
† Do. do.	13,055.08
‡ Exclusive of special receipts, contribution of His Highness the Sultan on account of Semantan outbreak expenditure	57,600.00
§ Exclusive of special expenditure on account of Semantan outbreak	73,286.95
§ Exclusive of interest on loans, 1891-92	48,970.42
Exclusive of special expenditure on account of Semantan outbreak	3,842.92
Exclusive of interest on loans	31,786.04
¶ Exclusive of special expenditure on account of Semantan outbreak	461.43
¶ Exclusive of special expenditure on account of Tembeling raid	4,999.84
¶ Exclusive of interest on loans	36,145.19

** Not printed.

During the year 1894, the Government of Perak advanced \$45,000 to the Pahang Government. This loan bears interest at the rate of 4l. per cent. per annum. The total amount of the State debt on account of loans has, therefore, now reached the very considerable sum of \$1,103,484.95.

ADMINISTRATION.

9. The British Resident, Mr. J. P. Rodger, was absent from Pahang during the whole of the year 1894. He did not return from Europe until 1st July, when he acted, first as secretary to Government in Perak, and subsequently as British Resident of Selangor.

Mr. Hugh Clifford acted as British Resident of Pahang during the absence of Mr. Rodger, but on 1st June he left the State, having been deputed by his Excellency the Governor to pay the annual visit of inspection to the Cocos-Keeling Islands, and did not return until 30th June. During this period Mr. Walter Egerton, First Magistrate, Singapore, acted as Resident of Pahang.

Dr. Norman Smyth, District Surgeon in Ulu Pahang, died of dysentery at Kuala Lipis on 15th February, and it was not until the end of June that Dr. D. H. McClosky was appointed to succeed him.

10. It is with the deepest regret that I have to report the death of Mr. E. A. Wise, Acting Superintendent of Ulu Pahang, who was killed in the attack made by Lieut.-Col. Walker's column on the rebels' stockade at Jeram Ampai on 29th June. By the sad and untimely death of this officer the Pahang Government sustained a loss the severity of which it is difficult to exaggerate. Mr. Wise possessed, to a degree by no means common among Europeans, a natural and peculiar aptitude for native work. During the last five years of his life, years that were spent without once quitting Pahang, he had acquired an intimate knowledge of the country, the people, and the dialect of the State, which, when coupled with his undoubted ability and his unswerving devotion to duty, rendered him an ideal officer for the charge of a difficult Malay district, such as Ulu Pahang. His firmness, his tact, and his great personal charm inspired feelings of respect and attachment in men of all classes and races with whom he came into contact; and, while the Government has been deprived by his death of the services of a most valuable officer, his many personal friends, both among the native and European communities, have suffered an even heavier loss.

11. Mr. T. C. Fleming, Acting Collector and Magistrate of the Temerloh district, took temporary charge of Ulu Pahang on the death of Mr. Wise, and he still continues to perform the duties of superintendent of that district. He was replaced at Temerloh by Mr. E. F. Townley, who relinquished charge of Kuala Pahang and Rompin for that purpose. The latter district, from the beginning of the current year, has been incorporated in the Pekan District, no European officer having been furnished to me to replace Mr. Wise. The European staff at my disposal has thus been weakened not only by the loss of its most experienced member but also by a decrease in its actual numerical strength.

Dr. Bowman's three years' agreement with the Pahang Government having lapsed, Dr. Jesser Coope was appointed to the vacant office of Residency Surgeon on 24th June, and took up his appointment at Pekan on 6th August.

Mr. J. F. Owen, Magistrate and Collector of Kuantan, and Mr. J. C. Fleming, Magistrate and Collector of Temerloh, were confirmed in their appointments with effect from 31st July 1893, and 24th November 1894, being the dates on which they had passed their respective examinations in Malay. The standard of proficiency exacted in Pahang is considerably higher than that required by the examiners in the other protected Native States, a really sound knowledge of the language, both spoken and written, being a matter of far greater importance in Pahang than it can now be taken to be in the more civilised portions of the Peninsula.

Mr. H. B. Ellerton, Acting Treasurer, was granted short leave of absence to proceed to Europe towards the end of the year. During his absence his duties were performed by Mr. F. Belfield, in addition to those of his substantive appointment of Collector and Registrar of Mines. Mr. Belfield's magisterial duties, however, were performed during this period by Dr. Jesser Coope.

LEGISLATION.

12. One meeting of the State Council was held at Pekan during the year, at which His Highness the Sultan presided. The Council met to transact purely formal business,

and nothing in the nature of legislation was considered. A second meeting of Council which had been fixed for December was postponed until January, owing to the Sultan's indisposition.

LAND.

Agricultural and Mining.

13. The total land and mining revenue, exclusive of royalties on minerals exported from the State, amounted during the year 1894 to \$28,367, as against an estimated revenue of \$22,350, thus showing an excess over the estimate of \$6,017 and an increase of \$4,019 on the actual revenue collected on this account during the year 1893.

14. The principal sub-heads under which an increase is shown are "Land Rents" and "Jungle Produce," which give excesses over the estimated receipts of \$5,053 and \$2,141, respectively.

As I anticipated in my Administration Report for 1893, the collection of land rents was accomplished far more expeditiously than in former years, the agreements for leases having been already issued for all land held by natives throughout the State. Formerly the press of work consequent upon a first issue of documents often rendered the task of collecting the whole of the rent due, throughout any one large district, well nigh impossible unless the district officer devoted himself solely to this object, to the neglect of his other various and important duties.

The increase of revenue under the sub-head "Jungle Produce" is due to a less satisfactory cause. Prior to the introduction of the residential system, monopoly laws were in force in Pahang, whereby searchers for gëtah and other jungle products were forced to sell their produce to the Sultan at a uniformly low price. These laws, though originally designed for the sole benefit of the Sultan, were indirectly extremely beneficial to the State, in that they served to discourage the excessive export of gëtah. The high rate at which gëtah now stands in the Singapore market, and the sudden abolition of the monopoly laws, has given an extraordinary impetus to the search for, and trade in, gëtah during the past five years, and this has had a most demoralising effect upon the natives of the interior, and has done much to seriously injure the future prospects of Pahang as a gëtah-producing country. The natives of the interior, an exceedingly thriftless people, accustomed from all time to live in the happy-go-lucky, from hand-to-mouth manner customary among the lower and more ignorant classes of Malays, were until recently quite unaccustomed to the possession of even two or three dollars of ready money, and they were easily dazzled at the prospect of obtaining cash advances on condition that they supplied a certain quantity of gëtah, within a stated period, to the Chinese traders by whom these advances were made. The prices offered by these traders, though still sufficiently low, were temptingly high to men who were accustomed to the prices which were wont to rule under the old régime, and, even without this added inducement, the mere prospect of immediately handling cash advances was alone sufficiently strong to lead many of the natives of the interior to enter into contracts with Chinamen with a reckless disregard for the consequences. Even the better educated and more enlightened classes of Malays attach but little importance to the value of time, and the lower classes are even more unpunctual. As might have been anticipated, the Malay contractor rarely began to search for gëtah until the cash advance had been partially dissipated, and as a consequence he was rarely up to the time specified by the time-clause of his contract. When, eventually, he had succeeded in working off his contract, he usually found that he had done so to the total neglect of all his other duties, that the season was far advanced, and that his land was still lying fallow. In the meantime the cash payments which had been made to him from time to time by the Chinese traders had been entirely expended by him in purchasing rice and other necessities, many of which should by right have been the fruits of his own labour on his own land, at the ruinous rates which prevail in remote native districts. Supplies were urgently required, and the demand could not be postponed; his only resource was to again enter into a further contract with the Chinese trader, and this occurred again and again to the great detriment of himself and his family, and to the utter neglect of his own proper avocations. Thus did many of the Malays of the interior sell themselves into a perpetual bondage for the sake of a little ready money, and owing to this a considerable quantity of land hitherto under cultivation was suffered to lie fallow and to become overgrown with jungle.

The ill effect which the sudden impetus given to the gëtah industry has had upon the prospects of the State as a whole are, of course, obvious. A number of ignorant and wholly improvident natives, bent upon collecting as much gëtah as possible, in as

easy and speedy a manner as might present itself, were not to be relied upon to spare young trees, or to otherwise exercise any discretion while searching for gëtah; and as the staff of forest-rangers at the disposal of the Pahang Government is altogether inadequate to effectually check the depredations, the gëtah searchers were practically uncontrolled. As a result, the complete destruction of gëtah-producing trees throughout the jungles of Pahang was rapidly becoming imminent, and it was found necessary, at the beginning of the current year, to pass an Order in Council absolutely prohibiting the search for, and export of, gëtah during the pleasure of His Highness the Sultan.

15. The Bentong and Semantan districts, which were reduced to a most pitiful plight by the disturbances of 1892, and the general exodus of the inhabitants which was insisted on and enforced by the ex-Orang Kaya of Semantan when he was driven from these districts in the summer of that year, have now, I am glad to be able to report, to a great extent recovered their tone, and will very shortly again regain their former prosperous condition. The deserted villages have been re-settled by their former inhabitants, who submitted to Government and were conveyed back to their homes at Government expense. For the first time since the disturbances it was not found necessary to remit the rents in these districts during 1894, and the tax was cheerfully and readily paid by the people, who in 1892, acting under the orders of the ex-Orang Kaya of Semantan, so resolutely refused to comply with the regulations imposing a merely nominal tax on searchers for jungle produce in the forests of Pahang.

16. The rice and fruit crops during the year under review were unusually good, the fruit crop especially being altogether abnormal. In the best years, however, and under the most favourable circumstances, the rice grown in the State is altogether insufficient to meet the demand within the borders of Pahang, and, as I have had occasion to repeat in successive reports on former years, unless Government intervenes to introduce fresh seed-pâdi, and supervises and encourages improved irrigation works in the more populous districts, no great improvement in the agricultural prospects of the State is to be hoped for. I will not again enter into details with regard to what I consider one of the most important matters which calls for the attention of the Government; and I will only record a hope that the time is not far distant when the Government of Pahang, aided by the Governments of the wealthier Malay States under British protection, may be able to give the assistance and encouragement to agriculture which alone can ameliorate the condition of the bulk of the native population of this State.

17. The value of town-lots at Pekan continues to decline, and numbers of unoccupied wooden houses, which had long been abandoned by their owners, and had fallen into disrepair, were pulled down at Government expense during the year.

The value of town-lots at Kuala Lipis—the site of the future capital of Pahang—is slowly but steadily increasing, and a number of brick and concrete shops have been constructed by Chinese merchants during the year under review. When the headquarters of the Government are moved to Kuala Lipis, as will probably be done so soon as the road connecting that township with the railway terminus at Kuala Kubu in Ulu Selangor, now in course of construction, has been completed, the value of land in and near the town will be greatly enhanced, and the buildings now being constructed, and which will in future be undertaken, will certainly have a better prospect of proving profitable to their owners than was ever possessed by the ill-fated township of Pekan.

18. The principal mining revenue of the State is derived from the royalty collected on gold and tin exported from Pahang, and will be found under the head of "Customs." The revenue collected on this account during the year under review amounted to \$35,904 as against \$21,852 collected under the same head of revenue in 1893, thus showing an excess of \$9,904 on the estimated revenue from this source, and an actual increase of \$14,052 on the receipts collected on this account during the year 1893. Of this sum the Ulu Pahang district contributed \$25,106, of which \$18,334 was an account of duty on gold, and \$6,772 was on account of duty on tin. The Kuantan district contributed \$13,353, being the duty on the tin exported during 1894 from the Pahang Corporation's mines in that district. The Pekan district contributed the insignificant sum of \$444, and thus, as in former years, it may be fairly said that the districts of Ulu Pahang and Kuantan are practically the only two sources of mining revenue in this State. The revenue of each of these districts show a considerable

advance on former years, the improvement in the revenue derived from the Kuantan mines being specially noticeable.

19. The gold mining industry in Ulu Pahang has made an encouraging advance during the year under review, an increased quantity of gold having been won by the European companies working in that district, and much useful development and prospecting work having been accomplished. As yet, however, the value of the various mining areas now being worked can hardly be regarded as having been fairly tested, since no really deep mining has as yet been undertaken. Such results as have so far been obtained, however, are of a decidedly encouraging nature.

20. The immense areas covered by the concessions granted by His Highness the Sultan to the companies now working in Ulu Pahang, and still held by them, preclude the possibility of anything resembling thorough exploration of its property being undertaken by any single company, and, if these concessions are to be effectively prospected and worked, subsidiary companies will have to be formed which may come to the assistance of the parent companies, and may aid them in developing their property. Unless some such course is adopted, large areas will continue to remain unexplored, unprospected, untested, and unworked, yielding neither profit to the holders nor advantage to the State.

21. In Pahang the tin-mining industry, which has played so prominent a part in the development of Perak and Selangor, is still in its infancy. The whole of the tin exported from Ulu Pahang during the year 1894 was won from the alluvial washing, technically termed lampang workings, as opposed to the lombong, or large alluvial mines, which are the most usual mode of mining among the Chinese. No form of mining can be more primitive than lampang streaming, and until the Chinese of the neighbouring States can be induced to undertake lombong work in Pahang, the export of tin from this State will continue to be altogether spasmodic and uncertain. At present negotiations are being carried on with some of the rich miners in Selangor with a view to introducing lombong mining into Bentong and other districts in Pahang, and it is hoped that this may be the first step towards the inauguration of a new tin-mining industry upon sounder principles. The new road now being constructed from Kuala Lipis to Kuala Kubu will, it is hoped, serve to stimulate tin-mining in Ulu Pahang.

22. The tin mines in Kuantan, which are the property of two European companies, differ from any mines now being worked in any part of the Malay Peninsula in that the property contains lode tin and not alluvial deposits. The results obtained during the year 1894 have been exceedingly satisfactory, but it is still too early to pronounce an opinion as to the value of the property, or the prospects of the ultimate success of the undertaking.

23. The labour question is one which has been made the text for a considerable amount of discussion in this State during the past year. Some managers of mines are never weary of pointing to the high rates paid to coolies in Pahang as compared with the ruling rates in the neighbouring State of Selangor. Even if the difference is really as great as it is represented to be, which there is some reason to doubt, the standard of wages even then compares very favourably with that which prevails in other localities in which gold-mining is extensively carried on. In Pahang the highest rate of wages paid to an ordinary skilled Chinese miner is \$15 per mensem. In Australia the lowest rate of wages for which a European miner will consent to work is 30s. per week, which, even taking the dollar at 2s., is equivalent to \$15 per week. The European miner is therefore rather more than four times as expensive as the Chinese miner, and, as has been frequently admitted to me by Australian miners with whom I have discussed the question, there are many Chinamen who can perform as much labour in the eight hours during which they are called upon to work as can be done in a like time by an average Australian or Cornish miner. It would be an extremely exceptional European who could accomplish as much work as can be done in the same time by two average Chinese mining coolies, and thus, when the matter is reduced to a question of arithmetic, it will be found that the mining manager in Pahang is in a position to effect twice as much actual mining work as can be done in any of the mining districts of the Australian Colonies for the expenditure of an equal sum of money. In none of the Australian mines, so far as I am aware, has the price of labour proved an insuperable obstacle to the success of the enterprise, and I am unable to believe that the difficulty which some mining managers profess to experience on this score is so formidable as is often represented. The whole question really resolves itself into one of supervision, the Oriental labourer being fixed in his determination to work just so long as, and no longer than, he is made to work. The plan adopted in the best managed

mines of having one European miner in charge of each shift of coolies has proved to work admirably, and if it were universally imitated, the complaints with regard to the quality of mining labour in this State would very soon cease to be heard.

24. The quantity of labour is another question which does not at the present time present any great difficulties, the labour forces required to conduct existing mining operations in Pahang being uniformly small. When a greatly increased labour force becomes necessary, the system of importing selected sin-keh, or Chinese coolies newly imported from China, will probably be found to be the best. More care, however, will have to be exercised in selecting coolies of good physique than has unfortunately been the case in former years, since men of a sickly habit of body, suddenly imported into the jungles of the Peninsula, are very liable to succumb to beri-beri, fever, or dysentery, long before they have repaid the expense incurred in their importation.

25. The time-clauses of the following concessions for mining land, which were granted to various companies and individuals by His Highness the Sultan, and which were recognised on certain conditions in 1889, expired during the year. As no sufficient work had been done or was in hand to justify an extension of the time-clauses being granted, these concessions were cancelled by His Highness the Sultan of Pahang, acting on the advice of the Acting British Resident:

1. Tres.
2. Têlémong.
3. Pahang Rivers.

26. The concessions still held within Pahang territory at the present time, are Penjum, the Malayan (Pahang) Concession Company's Concessions on the Upper Jêlai, the Malay Peninsula Prospecting Company's Concession at Raub, 20 square miles of which is held under a lease by the Raub Australian Mining Company, the Straits Exploration Company's Concessions of Chêrênging and Bra, the Kichau Corporation's Concession in the Lower Jêlai, which is now under notice of cancellation, and the Concessions in Kuantan held by the Pahang Corporation.

MEDICAL.

27. The general health of the State has been uniformly good throughout the year, no serious disease in an epidemic form having broken out in any part of Pahang. The usual fitful outbreaks of small-pox have occurred in one or two districts, but they have been slight and have easily given way to treatment.

28. As in former years, the in-patients in the Government hospitals have almost exclusively been members of the police force, inmates of the gaols, or persons in Government employ. At Kuala Lipis, a few of the more serious cases among the mining coolies are treated in the Government Hospital, and at Kuantan an excellent hospital and a medical officer are maintained by the Pahang Corporation for the treatment of the coolies in the employ of that Company. The immense majority of the natives of the State, however, and even the majority of the Pahang-born Chinese, far prefer such treatment as they can obtain from native quacks to the treatment which they receive in the Government hospitals, and, provided that either a Malay or a Chinaman has relations to aid and tend him, no consideration will induce him to enter a hospital as an in-patient.

Among the Malays, the preference for treatment by their own medicine men is especially strongly marked. These medicine men are skilled in the use of a few herbs and simples which are sufficiently effective when used in combating the slight ordinary ailments to which Malays are universally subject. In cases of severe illness, however, these simple remedies are absolutely powerless to render any assistance, and the medicine men then fall back upon charms, spells, incantations, and exceedingly noisy devil-dances, which only serve to aggravate the malady they pretend to allay. These magic practices are, for the most part, relics of pre-Muhammadan days, and among the male population a feeling of doubt in their efficacy is daily spreading. Among the women, however, the roots of superstition are very deeply implanted, and so strong is their faith in the magic practices, which have been handed down from one generation to another, that even the most sceptical men are driven by the importunities of their women folk into employing devil-doctors when serious illness occurs in their houses. This state of things is not without its analogy in modern Europe.

Vaccination, however, is a process in which the natives of Pahang, who suffered terribly from the ravages of small-pox in 1885-86, thoroughly believe, but, with this sole exception, very little use is made by the natives of the land of the facilities

PAHANG. offered by the Government dispensaries, and the presence of Government doctors and dressers in their neighbourhood. This fact is made only too evident by the following figures, which give the number of patients treated within and without the Government hospitals during the the year under review. It must be borne in mind that the population of the State at the present time is certainly not less than 65,000 souls.

Stations.	Total In-patients, 1894.	Daily Average In-patients, 1894.	Total Out-patients, 1894.
Pekan Hospital - - -	217	7·34	786
Lipis - - - - -	184	5·05	579
Temorloh Dispensary - -	Nil.	Nil.	128

Of the 786 out-patients treated at the Pekan hospital, only 225 were Malays, and of these only a small proportion were natives of this State.

29. In the Kuantan hospital, the property of the Pahang Corporation, 228 in-patients, mostly employees of the Company, were treated during the year. There was also a large number of out-patients treated at the dispensary, but very few of them were people unconnected with the service of the Company or of the Government.

30. The number of deaths which occurred in the Pekan, Kuala Lipis, and Kuantan hospitals during 1894, was 8, 13, and 25 respectively, being an average of 3·68, 7·07, and 9·12 of the in-patients treated in each hospital. There was one fatal case of beri-beri in the Pekan Hospital, and there were two fatal cases of the same disease at Kuala Lipis, and 12 in the Kuantan Hospital.

31. The following tabulated returns give the results of the meteorological observations by the European medical officers at the Pekan and Kuala Lipis, and Dr. Widmer Rolph, M.D., the medical officer of the Pahang Corporation, who holds the honorary post of district surgeon in the Kuantan district, has supplied the returns of the meteorological observations taken by him at Sungei Lembing in Ulu Kuantan. There was an unusual amount of rain in that district during 1894, 150·01 inches being recorded, as against 134·39 in 1893.

TEMPERATURE.

Station.	Maximum.	Minimum.	Mean.	Extreme Daily Range.	Extreme Annual Range.
Pekan - - - - -	88·09	65·08	78·2	18	23·10
Kuala Lipis - - - -	94·00	68·00	78·4	21	26·00
Ulu Kuantan - - - -	95·25	65·50	Not given.	Not given.	29·75

RAINFALL.

Month.	Pekan.	Kuala Lipis.	Ulu Kuantan.	Pekan.	Kuala Lipis.	Ulu Kuantan.
	Inches.	Inches.	Inches.	Rainy days.	Rainy days.	Rainy days.
January - - -	4·72	6·07	8·14	14	13	25
February - - -	2·71	3·25	8·30	9	10	16
March - - - -	15·55	3·84	15·29	8	11	11
April - - - - -	7·42	2·77	6·50	7	3	15
May - - - - -	4·76	5·84	10·92	10	13	21
June - - - - -	6·91	7·90	9·64	11	12	20
July - - - - -	4·77	6·78	10·92	14	15	21
August - - - -	6·65	7·92	6·79	18	16	16
September - - -	4·91	6·00	6·20	16	16	16
October - - - -	12·94	20·35	18·41	25	25	27
November - - -	9·14	14·02	15·37	22	20	24
December - - -	15·78	7·20	33·53	24	18	27
Total - - - -	96·26	91·94	150·01	178	172	239

PUBLIC WORKS.

PAHANG

32. The actual expenditure on public works incurred by the Government of Pahang during the year 1894 amounted to only \$20,777, as against \$21,201 in 1893. The whole of this sum was devoted to the upkeep of existing buildings, town streets, bridle-paths and bridges. The principal item of expenditure is the upkeep of the Kuala Lipis-Selangor bridle-path, which runs for $52\frac{1}{2}$ miles through Pahang territory, and on which nine upkeep gangs are employed. These gangs supply an average of one man to one mile of the track, and with this small labour force the road has been kept in excellent order throughout the year, and the wooden bridges which cross the numerous streams over which the track passes have been kept in repair, and in some cases have been entirely reconstructed on better sites without any extra expense being incurred. The road has been open for horses during the whole year. The men employed on this work are all Javanese or Kelantan coolies.

The rest of the upkeep work, which it has fallen to the Public Works Department to perform during the year, has been well and economically done, but it is not of a nature to call for any special comment.

33. I am glad to be able to report that the views which I expressed in my Administration Report for 1893 have now been definitely and finally adopted, and that not only has Kuala Lipis, and not Temerloh, been fixed upon as the future capital of the State, and the objective for the roads and railways on which the future development of Pahang depends, but the conversion of the existing bridle-path from Kuala Lipis to Kuala Kubu, the railway terminus in Ulu Selangor, has now been begun, and it may reasonably be hoped that the road will be open to traffic throughout its entire length during the year 1897. This road, which I have long held to be the first essential step towards the development of Pahang, is being constructed by the Government of Selangor, and the fact that it has been definitely decided upon has already had a stimulating effect upon the district of Ulu Pahang, through which it will run for a distance of more than 50 miles.

34. The present bridle-path crosses the Lipis river at Penjum, and thence passes up the Budu Valley and over the low hills which divide that district from Ulu Gali. The new road will take a somewhat different course, passing up the left bank of the Lipis through the Jalis mining district, and crossing the Lipis at Benta at the foot of the large rapids. It will then run parallel with the Lipis on its right bank until the head of the rapids (Jeram Besu) is reached, whence it will enter the Dong and Gali Valley and will rejoin the existing bridle-path, from which it will diverge a short distance below Penjum, at Sempang Gali, some eight miles distant from Raub. The enclosed sketch map* will show the different lines of country followed by the cart-road and the bridle-track.

35. The trace adopted presents but few engineering difficulties, and the only section through which really difficult country is traversed is that between Benta and Segu. An easier route could probably have been found *via* the Budu Valley, but the proposed line will have the additional advantage of placing an easy means of communication with the Lipis River below the rapids at the disposal of miners working the tin deposits in the upper Lipis Valley. The river above the Jeram Besu, and the flight of rapids which stretch between that fall and Benta is easily navigable for rafts and light native boats, but no boats and no laden rafts can pass down the Jeram Besu itself, and the transport of tin by raft down the remaining rapids can only be effected by a few natives living on the spot, who are accustomed to the work from infancy. It is accordingly very expensive, is very risky, and often ends in the loss of much hard-earned tin. As neither boats nor rafts can be taken up the rapids, all stores and supplies for the use of the mining camps in the upper Lipis Valley have to be carried by men over the footpath which runs round the rapids on the right bank of the river. The extreme difficulty and expense of transport both up and down these rapids, which the construction of the new road will incidentally serve to remove, has hitherto done much to retard the development of the stanniferous areas situated in this part of the Lipis Valley, and the increased facilities granted to miners throughout this valuable tract of country will more than compensate for the additional expense which will be incurred in constructing this portion of the new trunk road to Selangor. The survey of this section has already been passed, and it will be the first portion of the cart-road which will be completed within Pahang territory.

* Not printed.

36. As soon as the cart-road is open to traffic, or when it is in a fair way towards completion, the head-quarters of the Government will be transferred from Pekan to Kuala Lipis. In the meantime no money is being expended on the construction of new buildings at the former place, and the new gaol and other necessary works are being built at Kuala Lipis. The value of the existing Government buildings at Pekan is trifling, and the loss which the Government will sustain in abandoning them is wholly disproportionate to the advantages which the State will reap from the transfer of the seat of Government to a more central point.

POLICE AND CRIME.

37. At the beginning of the year 1894 the Pahang Armed Police Force consisted of 309 officers, non-commissioned officers, and men. This number was made up of three European officers, one Malay inspector, 216 Sikh non-commissioned officers and men, 83 Malay and Dyak non-commissioned officers and men, five detectives, and one armourer. On December 31st, 1894, the force numbered 307 officers, non-commissioned officers and men. Of the latter 202 were Sikhs, and 105 Malays and Dyaks. The Dyaks at the end of the year numbered 40 men, and experience goes to show that they are more reliable than the class of Malay policemen from which the non-Indian portion of the force has hitherto been recruited, and that in time of trouble they are at once more easily transported, more easily and more economically fed, and more efficient for jungle fighting than are the Sikhs, who hitherto have been employed in Pahang to suppress disturbances.

38. At the end of 1894 the following stations were occupied by police detachments: Pekan, Kuala Pahang, Kuala Kuantan, Sungei Lembing in Ulu Kuantan, Temerloh, Kuala Tembeling, Kuala Lipis, Kuala Medang, Selensing, Raub, and Bentong. In future the station at Kuala Tembeling will be occupied by a small force of Malays only, who will perform purely police duty; Selensing will be occupied by a force of Sikhs in the pay of the Malayan (Pahang) Concession Company, Limited; Kuala Medang will be held by a small detachment of Malays, similar to that at Kuala Tembeling; and the stations in which Sikhs are placed will thereby be reduced to six in number. This has been necessitated by the smallness of the force at my disposal, and the impossibility of keeping the men in good health while performing the amount of night work which they were called upon to undertake when the number of men available for sentry duty at each station had been reduced to the lowest possible figure.

39. The health of the force throughout the year was exceptionally bad, no less than 370 cases of sickness being recorded, and, though many of these cases were undoubtedly of a trifling nature, there can be no escape from the conclusion that the prolonged and heavy strain put upon the men by the excessively hard work which for some years they have been called upon to perform, and which I recorded with detail in my Administration Report for 1893, has begun to tell fatally upon the general health of the force. That the stamina and physique of the men of the Pahang force is by no means inferior to that which is found in the police forces of Perak and Selangor is proved by the fact that the sick returns of the men drawn from those forces who have from time to time been stationed in Pahang show a larger average of sick than is to be found among our own police. The arrangements which are now being made to reduce the amount of night work which the police have hitherto been called upon to perform, and to which I have already referred in the preceding paragraph of this report, will, it is hoped, serve to relieve the immediate pressure, and the result is to be looked for in an improvement in the general health of the men.

40. Ten deaths are recorded as having occurred in the force during the year, only two of which were due to natural causes, both of the deceased being Sikhs and dying of remittent fever. Of the remaining eight, seven were Sikhs and one was a Dyak. Five of these were killed in the attack made by the rebels upon the Kuala Tembeling stockade on 14th June last, and one Sikh and one Dyak were killed in the action at Ulu Kinchir in Kelantan on 31st July. The other Sikh committed suicide by poisoning himself in September last.

41. The discipline of the force has on the whole been good, the defaulter-sheets showing 78 entries against Sikhs and 37 entries against Malays. Most of the cases recorded are in the nature of trivial offences against discipline, and in considering the

above figures it must be borne in mind that the Sikhs are dealt with far more strictly and severely than are the Malay police. It is noticeable, however, that all the more serious offences have been committed by members of the Sikh portion of the force.

42. The usual courses of musketry have been insisted upon when possible, but, owing to the manner in which the force is scattered over this large State, a number of men in the more remote out-stations have had little or no musketry practice, and there is reason to fear that the present standard of efficiency in this respect leaves much to be desired. This, however, is also an evil which will be more easily remedied when the greater concentration of the force, above referred to, has been effected.

43. The returns of crime reported to the police during 1894 show a total of 437 cases, of which 314 were discovered. Of the remaining 123, the perpetrators of which were undiscovered, 55 related to petty thefts, many of which, I am assured, were dismissed by the police as being of too frivolous a nature to justify a prosecution.

44. The arrogance and truculence which, as the native proverb current in the Peninsula has it, is the leading characteristic of the Pahang Malay, still shows itself in the youths of the rising generation, and more than 25 per cent. of the criminal cases in which prosecution was necessary are to be found under the headings of "Assault" and "Using Criminal Force." Fortunately the weapons which have now been substituted for knives and kris are fists, or at the worst sticks, and only one case of grievous hurt was reported during 1894. To anyone who was acquainted with Pahang during the years prior to 1889, a very marked improvement is here noticeable, which is wholly due to the pacific effect of British influence upon the natives of what but recently was the most unruly State in the Peninsula.

45. Fourteen murders, including that of five Sikh policemen who were killed in the sudden night attack made upon the Tembeling Police Station on the 14th June by a band of dakaites headed by the rebel Chiefs who were driven from the State in 1892, came under the notice of the Police during the year under review. Of the remaining nine cases, six were murders which were committed in former years, five of them during the disturbances of 1892, the perpetrators of which were brought to justice during 1894. The three other cases occurred during the year under review, and only one of them, which was perpetrated in the Kuantan District by a native of Kemaman, a Trengganu subject, remained unpunished.

46. In this connexion I must note the extremely unsatisfactory position at present occupied by Pahang with regard to the neighbouring State of Trengganu, the provinces of which adjoin the Pahang frontier for a distance of not less than 90 miles. During the last few years frequent raids have been made by armed parties of dakaites into the Kuantan District, who have fled over the border with their plunder before pursuit was possible. These parties of dakaites are wholly unconnected with the Pahang rebel Chiefs who have found such kindly aid and protection in Trengganu territory. The men who compose these gangs are all of them Trengganu natives, and the authorities of that State resolutely decline to give any assistance in capturing and surrendering the criminals. The rulers of Trengganu, unlike the majority of the Malays of the Peninsula, are very fanatical Muhammadans, and, since the dakaites in question are men of their own creed, they readily afford them such assistance and protection as they need. I mentioned this matter in my Administration Report for 1893, and it is with regret that I have to report that, while the authorities of Kelantan are now so amenable that I should personally have no difficulty in arranging for the extradition of criminals with the Raja and Chiefs of the State, the rulers of Trengganu, seeing that no action is taken by the Government to enforce compliance when its requests for the rendition of dakaites are obstinately refused, now openly decline to assist the Pahang Government in such matters, and are emboldened to extend their protection to any men who have committed crimes in Pahang territory, with an insolent indifference to even a pretence of concealment of their actions and policy.

47. It is satisfactory to note that the severe punishment inflicted upon mining employes convicted of stealing gold from the mines of their employers has had the effect of checking this form of theft, which at one time threatened to assume very serious proportions.

COURTS.

48. The following table gives the number of civil and criminal cases tried in the Courts of the State during the year 1894 :—

Name of Court.	Civil.	Criminal.
Pekan	57	190
Ulu Pahang	220	93
Kuantan	79	83
Temerloh	29	22
Kuala Pahang	9	30
Total	394	418

From these figures it will be seen that the court work is heaviest in Ulu Pahang, the comparatively large population of Chinese, a population which has more than doubled itself since the census was taken in 1891, causing the number of civil cases in that district alone to exceed the total number of civil cases which are heard in all the other courts in this State. The court work throughout the State, though showing a steady increase in each succeeding year, is still sufficiently light, but it must be remembered that the court work in Ulu Pahang forms only a very small portion of the duties which the superintendent is called upon to perform : in addition to his duties as magistrate, he has to collect the taxes throughout a district the area of which is larger than that of the whole of the neighbouring State of Selangor, which has a daily increasing population, and which, under existing circumstances, can only be ruled by the personal influence of the district officer ; for this purpose he must constantly visit the remoter portions of his district, and must keep in touch with the feelings and opinions of the Natives on all important matters, which can only be done by intimate personal intercourse with them. It will be seen, therefore, that the work of this important district is rapidly becoming too vast to be satisfactorily performed by a single officer.

49. No change has as yet been made in the constitution of the Supreme Court, which, as I have had occasion to mention in previous Administration Reports, is presided over by the Resident. In a State like Pahang, where the duties of the Resident bring him into intimate contact with the people of the country, and force him to take a leading part in the suppression of disturbances, &c., it cannot be maintained that he is able to approach the trial of many of the prisoners brought before his court with the impartiality of a judge personally unacquainted with such prisoners, and who has not himself been instrumental in effecting their arrest. The question of the appointment of trained legal officers for the Native States is now, however, under consideration, and does not call for further comment in this place.

PRISONS.

50. The number of prisoners in confinement in the Pahang gaols was 64 on 1st January, 1894, and 77 on 31st December, 1894. The following table shows the distribution of convicts between Pekan and Kuala-Lipis gaols :—

Place.	In Gaol, Jan. 1, 1894.	In Gaol, Dec. 31, 1894.	Discharged during 1894.	Admitted during 1894.	Transferred to other Gaols.	Died.
Pekan	40	42	67	72	—	2
Kuala Lipis	24	35	20	33	1	1
Total	64	77	87	105	1	3

51. A new gaol is now in course of construction at Kuala Lipis, the present prison accommodation at that station having proved both unsatisfactory and inadequate.

52. The accommodation afforded to convicts in the Pahang gaols, and the diets supplied by Government, are of so superior a nature to anything to be found in the

other Native States on the east coast of the Peninsula that imprisonment has few terrors for the average East Coast Malay. The only deprivations from which he suffers are separation from his women-folk and abstinence from tobacco and betel-nut. Imprisonment carries no stigma in the eyes of the ordinary Malay, and it is only regarded as a matter for shame or reproach if the convict is a man of rank or position. The labour which the convicts are called upon to perform is no more severe than that which they would undertake, in the ordinary course, were they at liberty to seek their own livelihood, and though the food supplied is not too abundant, it is good of its kind, and sufficient to maintain the convicts in good health. It is altogether unsatisfactory that gaol should be generally regarded as a place in which a man, should his fate so decree, can pass a few quiet months with small discomfort to himself, but that this is the view taken of the Government prisons cannot be doubted by anyone who has heard the matter freely and frequently discussed by Natives among themselves. So long as a gaol is maintained on European lines, it is difficult to see how this state of things is to be remedied, and all will admit that anything is preferable to the slow torture of a native prison.

53. The general health of the convicts has been good throughout the year, though after the raid made by the rebels in June last the gaol at Kuala Lipis was badly crowded for some months. The steady increase noticeable in former years in the number of convicts confined in Ulu Pahang still continues.

GENERAL.

54. His Highness the Sultan of Pahang paid two visits to Singapore during the year, being absent from the State from the middle of May to the middle of June, and again from the beginning of July to the middle of September. While in Pahang his Highness has continued to reside at Pekan, which, from the point of view of the administration, is a far more suitable place for his Highness' Court than any of the more remote native districts such as Pulau Tawar.

55. His Excellency the Governor Sir Charles Bullen Hugh Mitchell, G.C.M.G., visited the State in September last. His Excellency, who was accompanied by the Hon. Major McCallum, Colonial Engineer; by his aide-de-camp, Captain Herbert; his Assistant Private Secretary, Mr. William Burra, and the Acting Resident of Pahang, left Kuala Kubu in Ulu Selangor on the 12th September, and rode through to Raub, where he arrived the following afternoon. His Excellency's party remained at Raub on the 14th, as the guest of Mr. William Bibby, and had an opportunity of viewing the Raub Company's mines at that place and at Bukit Koman. On the 15th his Excellency rode through to Budu, and on the 16th went down river by boat to Kuala Lipis. On the 18th September his Excellency left Kuala Lipis in the Government steam launch "Ethel," paid a visit to Jeram Ampai, the position occupied by the rebel stockades in the preceding June, and reached Pekan at daybreak on the 20th. Owing to an accident which befell the "Ethel," the greater portion of the river journey had to be performed by boat. His Excellency proceeded straight on board the "Sea Belle," which was lying off the mouth of the Pahang River, and made his official entry into Pekan, where he was received on landing by His Highness the Sultan, and the principal Rajas and chiefs, in the afternoon. His Excellency left Pahang for Singapore on the morning of the 22nd September, thus completing a journey from the Straits of Malacca to the China Sea, which has been accomplished by comparatively few Europeans, and has never before been attempted by a Governor of the Straits Settlements.

His Excellency was received in the most approved native fashion in every village in Ulu Pahang, the people of the district having gathered together from all parts of the interior to do him honour. The large numbers of gaily dressed Malays performing wild war-dances with drawn kris, and rending the air with discordant and piercing yells, must have presented a strange spectacle to unaccustomed eyes, and is indeed a mode of reception which is distinctively Malay, and is only to be met with in the few remaining Malay states in which ancient customs are still unmodified by the influence of a large alien population.

His Excellency had an opportunity of personally making the acquaintance of all the principal chiefs in Pahang, and of discussing with them sundry matters in which they take a strong interest. The appearance of the Governor of the Straits Settlements among them unaccompanied by any armed escort other than that which the natives of the country could supply, had an excellent effect upon the people of Pahang, and it is

to be hoped that this, the first visit of the Governor to the interior, will not be allowed to be the last.

56. As I mentioned in paragraph 79 of my Administration Report for 1893, negotiations were carried on during the whole of that year with the rebel chiefs, who had been given an asylum in Kelantan and Trengganu after they had been driven from Pahang in 1892. The object of the Government was to induce these rebels to surrender peacefully, and at one time there was good reason to believe that the negotiations would be crowned with success. The innate suspicion with which our advances were viewed by men who could recall instances, within their own knowledge, in which fugitives had been enticed into surrender by native rulers only to be rewarded with instant death, proved too strong; and the rebels contented themselves with using the negotiations as a stalking-horse, and, while openly preparing for a return to Pahang, which was ostensibly to be of a purely pacific nature, were really making arrangements for a raid into this State. They were further incited to adopt the latter course by the encouragement given to them by Ungku Saiyid of Paloh, Kuala Trengganu, a man who enjoys a great reputation for sanctity, and for the possession of supernatural attributes, throughout the length and breadth of the East Coast of the Peninsula. This worthy is one of those people who, to quote Mr. Mallock's phrase, "is a professionally righteous man, who in addition to preaching the gospel makes it his business to live by it, and who knows at all events what kind of righteousness will be popular." His saintly reputation is a steady source of income to him, since in sickness and trouble the Malays of many parts of the East Coast make vows of offerings to be made to him if their desires are accomplished, and health is restored and trouble averted. Ungku Saiyid naturally neglects no opportunity of enhancing a reputation which is such a lucrative possession, and when the tools were found ready to his hand he at once seized the occasion to preach a Sabil Allah, or Holy War against the Infidel, assuring the rebel chiefs that victory would be with their arms, and that no harm should befall any of them.

57. As I mentioned in the paragraph of my report above referred to, the rebel following numbered only a dozen or so of effective warriors, but by the influence of Ungku Saiyid they were enabled to raise a force of about 100 men in Ulu Trengganu, Besut, a province of the same State, and the Lebir district of Kelantan. This latter district is almost entirely peopled by Malays who fled from Pahang during the troubled years which followed the death of the late Bendahara Ali, which occurred about 1860. A consignment of arms and ammunition, brought for the purpose from Singapore by the enterprise of Sudagar Awang Ngah, a Kelantan Malay who is now in prison in Bangkok, having reached them in safety, this force of dakaites crossed the frontier into Ulu Tembeling on 12th June. By making a very rapid descent of the Tembeling River, gathering together on their way all the Tembeling natives who were unable to take refuge in the jungle, and who were alike powerless to resist or disobey them, they succeeded in attacking and surprising the small force of Sikh Police, stationed in the stockade at Kuala Tembeling, before dawn on the 14th June. This stockade was constructed in 1892 in order to be the head-quarters of the force engaged during the late summer and early autumn of that year in suppressing the disturbances, and it was specially built to accommodate 100 men under any circumstances, and twice that number if necessary. Lack of funds had prevented the Government from reconstructing this stockade to suit the slender force subsequently detailed to occupy it, and consequently it was a hopeless task for the eleven Sikhs who formed the detachment in this station on the 14th June to hold it against the attacking force. The surprise was cleverly managed in the profound darkness of a moonless night during the hour immediately preceding dawn. The sentry was struck down and the station-house scientifically rushed before the Sikhs were aware of the presence of the enemy, and it is marvellous that only five of the Sikhs lost their lives, the remainder escaping, in spite of the number of their opponents, though one of them was wounded with knives and kris in more than 30 places. A careful inquiry which has since been held into the matter of this attack has proved conclusively that the garrison of this stockade was in no way to blame for the fall of the station.

58. On the 14th June, after looting all the trading boats in the vicinity, the rebels moved down river in the direction of Pulau Tawar, at which place the Mahraja Perba of Jelai, and Panglima Garang (now Imam Prang Indera Stia Raja), the two chiefs possessed of the widest influence in the interior, were at that time living. The avowed intention of the rebels was to induce these men to join them in a general rising against the Government of Pahang. As many of the natives of Kuala Tembeling as the

rebels had been able to frighten into joining them accompanied the raiding force down stream.

59. The Sikh, Rham Singh, who has already been mentioned as having been so terribly wounded, succeeded, nevertheless, in making his way to Pulau Tawar, where he reported what had occurred to the local chiefs. Accordingly the rebels found that the people of Pulau Tawar, and the neighbourhood had been gathered into Imam Prang's stockade, and that, though very poorly armed, the chiefs at Pulau Tawar, far from being prepared to aid the rebels, intended to resist them to the utmost. The raiders therefore halted at Kedondong, a village some two miles above Pulau Tawar, and sent messages by some of the Kuala Tembeling Malays, calling upon these chiefs in the name of Allah and his Prophet to aid in what they were pleased to call the Holy War against the Infidels. The message of Ungku Saiyid of Kuala Trengganu that the Europeans were infidels born, and that all who aided or obeyed them were infidels ten times over, was freely used to induce the Pahang chiefs to side with their co-religionists; but the name of Ungku Saiyid, which had proved to possess so potent a charm for the more fanatical Malays beyond the border, was powerless to awaken any enthusiasm in the breasts of the frankly lax Muhammadans of Pahang. The rebels, finding that all their endeavours to induce the great chiefs of the Ulu to join them were futile, made a hurried retreat up river to Kuala Tembeling on the night of the 14th, and thence proceeded some four miles up the Tembeling River and constructed stockades at Jeram Ampai. Meanwhile Mamat Kelubi, one of the principal rebel chiefs, who with some 50 men had been left in charge of the captured post at Kuala Tembeling, had gone up the Jêlai River with half-a-dozen men to ensure the interruption of all communication with Kuala-Lipis, and to thus prevent the news of the fall of the Tembeling Station reaching the Government head-quarters of the Ulu Pahang district. On the 16th he returned, being still unaware of the retreat of his friends into the Tembeling. He and his party were at once attacked and killed by the Pulau Tawar chiefs, who had gathered together such arms, ammunition and men as they had been able to collect, and after despatching messengers to Temerloh and Pekan had themselves taken the initiative without waiting for assistance from the Government. This action of the Pahang chiefs is extremely significant, as showing the enormous change which has been effected since 1892 in the relations which subsist between the Government and the natives of the country, and the attitude which the latter now occupy towards the enemies of the Government.

60. Mr. Walter Egerton, who was acting as Resident of Pahang during my absence at the Cocos-Keeling Islands, at once proceeded up river on receipt of the news of the attack on Kuala Tembeling. He was accompanied by Mr. R. W. Duff, Acting Superintendent of Police, who had gained considerable experience of jungle warfare during the troubles of 1892, and by a small party of Sikhs. He reached Kuala Tembeling on the 18th June and found the rebels stockaded at Jeram Ampai. Here he was shortly joined by the late Mr. E. A. Wise, Acting Superintendent of Ulu Pahang, with another detachment of Sikhs, but it was considered that the force thus collected was not sufficient to warrant an immediate attack being made upon the rebels' stockades. On the 28th Lieut.-Colonel Walker, C.M.G., arrived at Kuala Tembeling with a final detachment of Perak Sikhs, he having already been preceded by Captain Lyons, with a body of Selangor Sikh Police, and by Captain Henry Talbot with a larger force of Perak Sikhs. Assistant-Superintendent Stewart, of the Straits Settlements Police Force, had also arrived *via* Pekan with a detachment of Colonial Sikh Police a few days before.

61. On the morning of the 29th June the attack on Jeram Ampai was made, Colonel Walker, Captain Lyons, and Captain Talbot, with the main body of Sikhs and Malays, proceeding up the left bank of the Tembeling, the attack on the right bank being entrusted to Mr. Duff, who was accompanied by Assistant-Superintendent Stewart. One mountain gun was taken with Colonel Walker's column, but was sent back early in the morning, since Colonel Walker feared that his arrival at the scene of action would be considerably delayed if he continued to carry it with him. No medical officer of any kind accompanied the column, and, for some reason which I am unable to explain or understand, two dressers who were then at Kuala Tembeling were left behind at that station. Mr. E. A. Wise accompanied Colonel Walker's column in the capacity of Political Officer.

62. Colonel Walker's column reached a spot in the jungle within hearing of the rebels in their stockades, without the latter being aware of their approach, and a somewhat impetuous attack would then appear to have been made, no steps being taken to

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first surround the enemy and cut off his means of retreat. Colonel Walker, who, with his well-known personal courage, himself led the attack, and was far in advance of all his men, was closely followed by Mr. Wise, who, as Political Officer, doubtless conceived it to be his duty to avoid being separated from the officer who was in charge of the expedition. It was while he was actually hacking his way through the surrounding fence of the stockade that Mr. Wise was shot in the leg by some of the Sikhs who were in his rear, and who were engaged in firing at the stockade from the cover of the surrounding jungle. The rebels, after a few minutes' resistance, fled in every direction. Their loss was about 40 men killed. The loss on our side was Mr. Wise and four Sikhs killed, and Captain Talbot and four Sikhs wounded.

63. Mr. Duff was misled by his guides, who were not in the least anxious to find themselves under fire, and was so unfortunate as to only reach the scene of action when the whole affair was at an end. This was doubly hard on Mr. Duff and his men, seeing that the Pahang Sikhs had their dead to avenge, and had moreover been held in check, in spite of their natural impatience to attack the rebels, for some ten days after their arrival at Kuala Tembeling.

64. Mr. Duff was despatched in pursuit of the rebels on the 1st July, but no organised pursuit was commenced until after I had taken over charge of the State on the 3rd of July. On the 21st July I crossed the border into Ulu Trengganu territory, through totally unexplored country, and, after having a slight brush in the jungle with a detached party of the fugitives, I reached Kuala Alor in Ulu Pertang on 29th July. My party consisted of 130 Malays, I being the only European with them. My approach, as I have since learned, was wholly unsuspected by the rebels, who were at that time camped in the Pertang quite close to Kuala Alor. I was joined on the day of my arrival at Kuala Alor by Colonel Walker, Mr. Duff, and a column of Sikhs and Malays. The presence of Colonel Walker's pursuing column had unfortunately become known to the rebels, who had deserted their camp on the Pertang on the 27th July. On the 30th July our combined forces started in pursuit of the rebels, and on the 31st an engagement was fought in which we lost one Sikh, one Dyak, and two Malays killed, one Malay Chief and one Dyak being slightly wounded. The rebels escaped unscathed, with the loss of all their baggage, supplies, and papers. The latter contained many letters incriminating persons of high rank in Kelantan and Trengganu.

65. On the 3rd August orders from his Excellency the Governor, which had been telegraphed to Kuala Lipis and thence forwarded to me by special messenger, instructing me not to cross the boundary, came to hand. On the 7th August the rebels were completely surrounded, cut off from all supplies, and their immediate capture seemed imminent. They were rescued from the *cul de sac*, into which they had been driven, by the bad faith of Ungku Selia Raja and Dato' Panglima Dalam of Kelantan, two chiefs who had been sent up by the Raja of Kelantan ostensibly with the object of aiding and co-operating with my force. All my efforts to effect the arrest of the rebels being rendered nugatory by the action of these chiefs, whom I had, unfortunately, no authority to punish, I at once withdrew my force into Pahang, and the Perak and Selangor contingents, with the exception of about 30 Selangor Sikhs who were lent to me to augment the police force at my disposal, were at once withdrawn.

66. A few days subsequent to my departure the whole of the rebel force came out of their hiding places in the jungle, and accompanied Ungku Selia Raja and Dato' Panglima Dalam down river to the large village of Kemuning in Kelantan, the residence of the former chief. Here they were, by arrangement, relieved of their women, children, and non-combatant men, who had admittedly formed their only encumbrance and their chief source of danger. These people were sent to Siam at the demand of the Government of that kingdom. The rebels themselves, after spending some peaceful weeks in Ungku Selia Raja's compound, subsequently removed to Besut, in Trengganu territory, where they remained until last May.

67. It is satisfactory to be able to report that, though the raid made into Pahang by this formidable party of dakaites was sufficiently embarrassing and troublesome, little actual damage was done to life and property of persons residing within the State, and that traffic up and down the Pahang River, the principal highway of traders, was only interrupted for five days. The financial returns attached to this report show a substantial increase in the revenue of Pahang during 1894 as compared with former years, and indicate that no serious check to the prosperity of the State resulted from the recent raid.

68. As it has been my duty to report in former years, the progress of Pahang, as at present administered, is necessarily slow, but it is satisfactory to note that progress is being made, and that with the exception of 1892, the year of the Pahang disturbances, each succeeding year has shown a substantial improvement on that which has preceded it. Until the resources of Pahang have been developed by extensive public works, however, and until a large alien, and more especially a large Chinese, population has been induced to enter the State, no real hope of Pahang becoming self-supporting can be reasonably entertained. Until such an alien population has been introduced the progress of Pahang will not only be slow, but its revenue-producing possibilities will shortly reach their limit. The population of this State at the present time probably exceeds 65,000 souls, but out of this number only some 5,000 at the most are foreigners. The immense bulk of the population, therefore, are Pahang Malays, who on an average do not annually contribute more than 50 cents per head to the revenue. The total revenue yielded by the natives of Pahang does not therefore amount to more than \$32,500, and the remainder of the revenue of the State collected in 1894—\$68,500—is entirely contributed by the 5,000 aliens above referred to. It would require but little demonstration to prove that, until the number of the revenue-producing inhabitants of the State has been considerably increased, no very great excess on the revenue collected in 1894 is to be looked for in the future. The first great and important step towards the ultimate development of Pahang has, however, now been taken in the decision to push forward the construction of the main trunk road to Pahang from Ulu Selangor. From the date of the completion of this road the first real development of the resources of the State will begin, and increased facilities of transport, and a closer connection with the prosperous and thickly-populated districts of Selangor, will do more to give life to Pahang than could have been effected by years of British rule had the policy which has hitherto been adopted been further persevered with.

I have, &c.

HUGH CLIFFORD,
Acting British Resident, Pahang.

To the Hon. the Colonial Secretary,
Straits Settlements.

STRAITS SETTLEMENTS.

FURTHER CORRESPONDENCE

RELATIVE TO THE

MILITARY CONTRIBUTION.

(*In continuation of* [C.—6290] *March 1891.*)

Presented to both Houses of Parliament by Command of Her Majesty.
June 1895.



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1895.

[C.—7784.]

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STRAITS SETTLEMENTS.

FURTHER CORRESPONDENCE

RELATIVE TO THE

MILITARY CONTRIBUTION.

No. 1.

LORD KNUTSFORD to SIR C. C. SMITH.

TELEGRAPHIC.

14th February 1891.—Referring to my despatch of 10th January,* sums mentioned in last paragraph should be paid as soon as possible. Telegraph reply.

No. 2.

SIR C. C. SMITH to LORD KNUTSFORD.
(Received February 19, 1891.)

TELEGRAPHIC.

Referring to your telegram of 14th February,† votes proposed to-day postponed till 26th February, at special request of unofficial members of Legislative Council. Is not reduction to be made 1890, on account of Fortress Engineers arrived 28th January this year, and local artillery not yet enrolled?

No. 3.

LORD KNUTSFORD to SIR C. C. SMITH.

TELEGRAPHIC.

(Sent 24th February 1891.)

There are not sufficient grounds for abatement, since total expenses of garrison last year much more than 100,000/.

No. 4.

LORD KNUTSFORD to SIR C. C. SMITH.

SIR,

Downing Street, February 27, 1891.

WITH reference to the the telegraphic correspondence noted in the margin, regarding the Military Contribution of the Straits Settlements, I have the honour to inform you that Her Majesty's Government have carefully considered your suggestion that some abatement should be allowed on the contribution for 1890, in view of the fact that the half Fortress company of Royal Engineers had not arrived till last month, and that the local Artillery was not yet enrolled; but inasmuch as the cost of the garrison present in the Straits Settlements during last year much exceeded the amount of the contribution payable by the Colony, Her Majesty's Government are of opinion that there are not sufficient grounds for allowing any abatement.

Sec. of State,
14 Feb.;
Governor,
19 Feb.;
Sec. of State,
24 Feb.

* No. 6 in [C. 6290], March 1891.

† No. 1.

I have also to point out to you that, although the half Fortress Company did not reach Singapore before the end of the year, the cost of raising and organising it was incurred during the past year.

Your suggestion was possibly based upon what was said in the last paragraph of the letter from this department to the War Office of 25th April last (an extract from which was enclosed in my despatch, of 12th August*). If so, I may explain to you that the reduction proposed in that letter was only suggested in the event of the troops in question being permanently kept back until war time, and not in the event of the War Office "bringing up the Singapore garrison to its full strength as soon as possible."

I have, &c.

(Signed) KNUTSFORD.

No. 5.

SIR C. C. SMITH to LORD KNUTSFORD.
(Received 7th April 1891.)

Government House, Singapore,
March 10, 1891.

MY LORD,

ON the 6th instant I despatched the following telegram to your Lordship:—

"Military votes carried only by official majority. The unofficial members of the Legislative Council have made a formal protest. Money will be paid next week to the Treasury Chest Officer".

2. I have now the honour to forward to your Lordship a statement of the votes which were taken to meet the claims of Her Majesty's Government on account of the Military Contribution, and for lodging allowances. As reported in my telegram, the total amount of 577,472.66 dollars, the equivalent of 105,869*l.* 19*s.* 9*d.*, at the Treasury rate of exchange, will be paid to the military authorities during this week, although, as a result, the Colonial Treasury will be depleted, and a portion of the investment of the surplus balances in India paper will have to be sold.

3. I take this opportunity of transmitting copies of the protest which was lodged by the unofficial members of the Legislative Council, when the votes above referred to were forced through the Council by the official members acting on your Lordship's instructions. I will forward to your Lordship, as soon as they are printed, copies of the proceedings of the Council.

I have, &c.

(Signed) CECIL C. SMITH.

Enclosure 1 in No. 5.

VOTES for MILITARY CONTRIBUTION and LODGING ALLOWANCES.

	£	s.	d.	
Contribution for 1889	-	50,145	0	0
Amount paid (235,976.40 dollars)	35,888	1	6	
				£ s. d.
Balance to be paid	-	-	-	14,256 18 6
Contribution for 1890	-	100,000	0	0
Amount paid (235,976.40 dollars)	37,362	18	9	
Balance to be paid	-	-	-	62,637 1 3
Half of the loss on exchange to 31st December 1888				28,976 0 0
Total	-	-	-	105,869 19 9
				Dollars.
At Exchange, 3 <i>s.</i> 8 <i>d.</i> =				577,472.66
Military Lodging Allowances in 1890	-	-	-	7,739.00
Total to be voted	-	-	-	585,211.66

Colonial Secretary's Office,
Singapore, 28th February 1891.

Enclosure 2 in No. 5.

We, the unofficial members of the Legislative Council of the Straits Settlements, desire to record our emphatic protest against the decision of Her Majesty's Government, as conveyed in the Secretary of State's despatch, No. 8, of 10th January 1891.

We observe with grave apprehension that no serious attempt has been made to meet the forcible arguments advanced by his Excellency the Governor, as well as by the Executive and Legislative Councils, to show that the Colonial revenues should not be chargeable with so heavy a contribution as was proposed in the first despatch of 13th December 1889; but, on the contrary, it is even suggested that the whole military expenditure may eventually have to be borne by the Colony.

We have every desire to co-operate loyally with Her Majesty's Government, and to fulfil all Colonial obligations, on fair and equitable terms, in the maintenance of the garrison for the forts; but we protest against the present decision as a grave injustice, on the following grounds, viz. :—

- (1.) That the increase in the garrison is rendered necessary in consequence of the defences which were constructed almost solely in Imperial interests for the protection of this important coaling station, and not for the protection of the Colony.
- (2.) That the conditions which previously led Her Majesty's Government to defray the cost of a considerable portion of the garrison, apply with far greater force at the present day, in view of the enormous growth of British trade passing through the port, the expansion of Imperial interests, the Colonial extension of other European Powers in this part of the world, and the consequent paramount necessity which exists for securing so important a naval base.
- (3.) That this decision, in view of these considerations, is calculated to involve the Colony in the future in heavy additional expenditure, by its being forced to maintain a garrison out of all proportion to its own requirements, and for the furtherance of purely Imperial interests and exigencies, in the direction of which the Government of the Colony would be allowed no part.
- (4.) That in addition to the present heavy contribution, the Colony is called upon to provide extensive barracks, and at the demand of the War Office, any lands and buildings which may be required for military purposes, thereby incurring an expenditure which can neither be gauged nor controlled by the Colonial authorities.
- (5.) That this refusal of Her Majesty's Government to admit any equitable apportionment, is in direct violation of the principles recognised in the arrangement approved of by the House of Commons in 1884, under which the cost of the works and armaments was divided between the Imperial and Colonial Governments. Such refusal stands in marked contrast to the consent of the Legislative Council, by resolution of 13th February 1890, to bear one-half of the actual cost of the whole military defence, and, in addition, the entire cost of the barracks required.
- (6.) That this unjust and altogether disproportionate demand upon the resources of the Colony cannot fail seriously to hamper and retard the welfare of the Settlements, and to arrest the progress of the Peninsula, upon the development of which the means to pay these heavy contributions largely depends.

With reference to the last paragraph in the despatch, wherein the Secretary of State notes with satisfaction that the Council has included the vote of 100,000*l.* in the Estimates of 1891, we assert that it was allowed to pass unchallenged on the assurance that the question was still under the serious consideration of Her Majesty's Government, and that our position would not be invalidated thereby.

And, finally, we protest against the forcing of these military votes through the Council by the use of an arbitrary command of official support, in opposition to the views of nearly the whole of its members. Such a course must result in straining to the utmost the good relations which have hitherto existed between the Administration and the people, and in destroying all confidence in the impartiality and justice of Her Majesty's Government towards Crown Colonies.

J. M. B. VERMONT.
J. BURKINSHAW.
J. KENNEDY.
T. SHELFORD

G. S. MURRAY.
J. FINLAYSON.
TAF JAIK KIM.

No. 6.

SIR C. C. SMITH to LORD KNUTSFORD.
(Received 20th April 1891.)

[*Answered by No. 10.*]

Government House, Penang,
March 24, 1891.

MY LORD,

IN connexion with my despatch of the 10th instant,* in which I reported the passing of the votes to meet the claims of Her Majesty's Government on account of the Military Contribution of the Colony, I have the honour to forward copies of the proceedings of the Legislative Council on the occasion when the votes were submitted to that body. I enclose, also, copy of a memorandum by four members of the Executive Council, together with extracts of the minutes of that Council, when the subject was again under its consideration.

2. In forwarding these papers I beg permission to refer to one or two points in your Lordship's despatch of the 10th January 1891.† I refrain from troubling your Lordship at any further length, because it seems to me perfectly clear that the subject of the demands of Her Majesty's Government has got beyond the period of argument, and that nothing that I can urge on behalf of the Colony, or that can be pressed by others in the Colony, will be at all likely to move Her Majesty's Government to abate any portions of those demands. While stating this I feel bound to add, as indeed will be apparent from the enclosures in this despatch, that neither the Government nor the people of this Colony, who have greatly interested themselves in the matter, are satisfied that what is claimed from the Straits Settlements in the way of Military Contribution has been yet justified by Her Majesty's Government. There is a strong public feeling in the Colony that the case of the Colony in the controversy which has so unfortunately arisen has not been dealt with by Her Majesty's Government in that spirit of justice and fairness which it was entitled to expect. In proof of this I enclose extracts from the newspapers‡ giving an account of a public meeting held in Singapore on the 13th instant, to protest against the action of Her Majesty's Government. The meeting is stated to have been one of the largest ever held in the Colony, and to my mind one of the most significant features in connexion with it was the important part taken by the Chinese community, who appear to have attended in great numbers and to have actively entered into all the proceedings. I am informed that there is to be a public meeting on the same subject in Penang.

3. I will now refer to the points to which I wish to draw your Lordship's attention. A great deal has been written about the original agreement on which Her Majesty's Government sanctioned the creation of the Straits Settlements into a Crown Colony. Mr. Shelford, in his able speech in the Legislative Council on the 5th March, has dealt very fully with the character and terms of that agreement, and I do not see how he is to be answered. If that agreement is to be taken as the basis of the claims of Her Majesty's Government at the present time, by what right has Her Majesty's Government imposed and continued to impose on the Colony, at the cost of the Colonial Treasury, a garrison and defence works which formed no portion of the agreement? Her Majesty's Government, on the one hand, insist on the original agreement being observed, and, on the other hand, reserve to themselves the power, on account of Imperial interests, of fixing the strength of the garrison at the cost of the Colony. The original agreement laid down "that the sum of 50,000*l.* per annum, would "probably cover the total cost of the garrisons to be maintained more exclusively for the "military protection of the Straits Settlements." This is true to-day. The additional cost now incurred is owing to Imperial, not Colonial, requirements, and there is no apparent limit to further cost because the War Office, without reference to your Lordship's department or the Colonial Government, settles the rank and number of the staff, and the strength of the garrison.

4. I was in hopes that there might have been some deduction allowed on the Contribution for 1890, on account of the non-arrival of the half Fortress Company of Royal Engineers during that year, and on account of the Permanent Auxiliary Artillery which has not yet been raised. Your Lordship's telegram of the 24th February,§ and your Lordship's despatch of the 27th February,|| have shown that Her Majesty's Government is unable to meet the Colony even to that extent. In justification, however, of my application, I wish to draw attention to paragraph 6 of your Lordship's despatch of the

* No. 5.

† No. 6 in [C. 6290], March 1891.

‡ Not printed.

§ No. 3.

|| No. 4.

13th December 1889,* in which it is stated that “if those payments are made (*i.e.*, *inter alia* 100,000*l.* for 1890, and arrears), Her Majesty’s Government will provide the above-mentioned garrison and maintain it as nearly as possible at the full strength, allowing for variations of reliefs and similar matters.” This was, I take it, a definite promise to provide the garrison according to the strength detailed in the despatch from which I quoted, and, as the Colony has paid the money which has been demanded, I should have thought it only reasonable that some deduction should be made on account of a definite portion of the garrison which had not been provided. It is only in your Lordship’s subsequent despatches that another view is set out, namely, that as the total cost of the garrison last year exceeded 100,000*l.* no abatement can be allowed. The specific arrangement of 13th December 1889 appears, therefore, to have been altered, and it will be possible (I do not suppose that it is probable) for the War Office not to provide the garrison agreed upon, and so long as the total cost of the troops does not go below 100,000*l.*, that sum must be paid by the Colony.

5. In paragraph 3 of your Lordship’s despatch of 10th January last,† reference is made to what I had stated in my despatch of 19th February 1890, regarding the demand of Her Majesty’s Government in 1872. I cannot now tax my memory as to whether I had overlooked Lord Kimberley’s despatch of 5th March 1873. I certainly ought to have referred to it, but I venture to submit to your Lordship that, notwithstanding that despatch, Her Majesty’s Government did not press for the carrying out of the recommendations of the Committee, though they dissented from the resolution of the Legislative Council. Lord Kimberley’s despatch further lays down the doctrine that the local revenues cannot be relieved “from what may be determined to be a reasonable contribution towards the cost of the defence of Singapore.” This is what is now fully admitted by the Colony, and all that was asked is that effect should be given to that decision. It could not then have been contemplated by Her Majesty’s Government that the Colony should pay the whole, or even the greater portion, of that cost.

6. I have no doubt that although there is a very serious diminution in the revenue of the Colony it will in a few years recover itself. At present, however, in order to meet the claims of Her Majesty’s Government, it is necessary to postpone important public works, and to draw on the investments which the Colony had made to provide for less flourishing times. Further, the progress of some of the protected States will be greatly hampered, inasmuch as the Colony cannot continue to lend them the money urgently required for their development. But all this is to my mind of little moment as compared with the creation of, what I may, without using extravagant language, term the bitter feeling which most unfortunately exists, that the Colony has not received fair and just treatment at the hands of Her Majesty’s Government. Had the representations of the Colony been even partly met, had there been an abatement to the extent of even 20,000*l.* (a mere bagatelle in regard to the issue), all agitation would, I believe, have subsided. As it is, the Legislature of the Colony, though entrusted with the disposition of the revenues of the Colony, has been entirely overridden, and the effect of the strained official relations between the Executive Government, acting under the direct instructions of Her Majesty’s Government, and the unofficial members of the Legislative Council, will long be felt, and must prove of serious detriment to the administration of the Government, and to the public interests of the Colony.

7. In conclusion, I venture to trouble your Lordship with a few remarks on the point adverted to in paragraph 19 in your Lordship’s despatch of the 10th January.† What is objected to in this Colony is that when none of the other Crown Colonies or Cape Colony (and others having responsible Government) pay anything towards the maintenance of the Navy, the Straits Settlements should have its Military Contribution, which goes solely towards the reduction of Army Votes, calculated on any basis in which the cost of the Navy is included. The Australian Colonies have been held up as examples in this matter, and though their position and circumstances undoubtedly require them to attend to naval defence as specially a Colonial and not an Imperial obligation, yet, according to the Chancellor of the Exchequer, their contributions are “extremely insignificant.” There is, too, I cannot help thinking, some misapprehension as to the amount of sea-going tonnage of the Navy which, whether assigned or not, is actually under ordinary existing circumstances to be found in the Straits division. It is perfectly true that even more than 4,000 tons has been in the past few years frequenting these waters, but only under exceptional circumstances, such as during a war scare, or during the time when the armament for the forts had not been supplied by Her Majesty’s Government in accordance with the agreement made with the Colony

* No. 1 in [C. 6290], March 1891.

† No. 6 in [C. 6290], March 1891.

when the present defence works were undertaken. Since the heavy guns were delivered here, the "Orion" has been removed, and the tonnage has varied between 2,575 tons and 755 tons.

I have, &c.
(Signed) CECIL C. SMITH.

P.S.—Since writing the above, I have received the enclosed report* of a public meeting held at Penang on the same subject.

Enclosure 1 in No. 6.

LEGISLATIVE COUNCIL.

Thursday, 5th March 1891.

Present :

His Excellency the Governor (Sir Cecil C. Smith, K.C.M.G.).

His Excellency the General Officer Commanding the Troops (Major-General Sir Charles Warren, G.C.M.G., K.C.B.).

The Hon. the Colonial Secretary (Sir J. Frederick Dickson, K.C.M.G.).

The Hon. the Resident Councillor of Malacca (D. F. A. Hervey).

The Hon. the Attorney-General (J. W. Bonser).

The Hon. the Colonial Treasurer (E. E. Isemonger).

The Hon. the Auditor-General (H. Trotter.)

The Hon. the Colonial Engineer (Major H. E. McCallum, R.E., C.M.G.).

The Hon. J. M. B. Vermont.

The Hon. J. Burkinshaw.

The Hon. J. Y. Kennedy.

The Hon. T. Shelford.

The Hon. G. S. Murray.

The Hon. J. Finlayson.

The Hon. Tan Jiak Kim.

Absent : The Hon. the Resident Councillor of Penang (A. M. Skinner, C.M.G.).

The minutes of the last meeting were read and confirmed.

The Military Contribution.

The COLONIAL SECRETARY :—Sir, according to notice, I rise to move that the Council vote a sum of \$585,211 66 cents, in accordance with the details given in the printed paper which has been circulated to the Honourable Members of Council, for Military Contribution and lodging allowances up to the end of 1890. The votes for Military Contribution are asked for in accordance with paragraph 27 of Lord Knutsford's despatch of the 10th January 1891, which has been printed and laid before the Council, and the lodging allowances are asked for in accordance with printed correspondence, which has also been laid upon the table.

The motion was seconded by the Colonial Treasurer.

Mr. SHELFORD :—In rising, sir, to offer opposition to these votes, I wish to allude to the attitude of the unofficial members in not formally opposing the votes for the present year, reference to which forms the conclusion of the despatch of the Secretary of State. It is true we did not divide the Council on the vote, but it was distinctly understood, and mentioned in Finance Committee, that the question was still in abeyance. The official majority would have been compelled, in obedience to instructions from home, to force the votes through Council, and we had the assurance of the Officer Administering the Government that the matter was still under the consideration of Her Majesty's Government. If the moderate concessions asked for by the Council had been granted—if there had been any desire to meet in a degree of compromise the differences between us—I go further, and say that if Her Majesty's Government had been prepared to enter into an engagement for finality in the matter—such is the desire of this Colony to meet their wishes, that it is possible further opposition would not have been offered. We had a right to anticipate solution of the difficulty in one of these three ways, it was in that spirit we dealt with the matter when before us in the estimates in October last,

and allowed the votes to pass "without special comment," and the formal opposition which is marked by a division. But the despatch before us shows that Her Majesty's Government refuse to abate one jot of their demands. They refuse to remove from the attitude assumed in 1889. On the contrary, every point previously advanced has been accentuated. We are told that no abatement will be made to the Colony on account of deficiency of troops, that in the future the Colony may be made liable to pay all the military expenditure; and again, the cost of naval defence in these waters is alluded to. The Secretary of State writes that "about 4,000 tons is assigned to what is called the Straits division," and that "this force is rarely absent from Malayan waters." But examination of the returns show that this statement must include the "Invincible," which was only here for three months, being sent in hot haste in consequence of the Russian scare in 1885, and the "Orion," which was stationed here solely in consequence of the failure of Her Majesty's Government to fulfil their solemn engagement to provide the armament for the forts and, therefore, cannot be entered in the calculations. If you deduct these two ships, the naval tonnage in Malayan waters for the last six years will be found to consist, as at present, of the "Caroline" and the "Plover" now in port, totalling 2,130 tons, and seldom exceeding that amount.

The despatch, sir, ignores all the representations that have been made as to the entirely changed condition of affairs, as to the vast volume of trade and its changed character, as to the absolute Imperial necessity of maintaining this port, as to what the Colony has done towards assisting Imperial cost. These arguments have not been answered in the despatch before us, because, in truth, they are unanswerable. Such being the case, we stand by and maintain the position we have taken throughout in strenuously opposing the whole burden which is sought to be laid upon us.

The vote for which we are now asked forms two divisions—difference of exchange 43,232*l.*, and balance of contribution under the new scheme 62,637*l.*, besides lodging allowances. It is perfectly true that in last year's debate Mr. Adamson, although not for a moment admitting the justice of the claim for loss by exchange, was willing to accept it, but on the distinct understanding that the resolution submitted would be accepted by Her Majesty's Government—the resolution which closed the proceedings of that memorable day, and which was to the effect "that the principle of apportionment "in providing for the cost of the garrison by which the Colony shall in no case pay "more than one-half of the actual cost of the whole military defence would fully meet "the justice of the case." The Finance Committee, in their report of the 24th October last, pointed out how Her Majesty's Government had failed in fulfilling their part of the agreement in providing the stipulated number of the troops. This being the case, there can be no hesitation in resisting these votes even amongst the most timorous.

Now, the Secretary of State in more than one paragraph refers to what is styled the original agreement, which was likewise dealt with in your Excellency's despatch and in the minutes of members of Council. It will not be disputed that the number of troops stationed here at the time of the transfer was inordinately large, that they were scattered through the Settlements taking police duties, which are now provided for by a civil force, and that one strong reason in agitating for the transfer arose from the heavy military expenditure. After the despatch of Sir Hercules Robinson had been forwarded home, a good deal of departmental correspondence occurred, and the question seemed culminating to a point in a despatch from the Secretary of War to the Colonial Office, dated 11th May 1865, in which he says, referring to the large garrison proposed at a cost of about 63,000*l.*, "I am to request that you will acquaint Mr. Secretary Cardwell, that Earl de Grey apprehends that if these Settlements are taken "over by the Imperial Government it will not be with a view to hold them as *Imperial* "military stations, but in order to meet the often expressed wishes of the local community. "The amount of force to be maintained in them will therefore be determined by the wants "and means of the inhabitants." He then goes on to propose that the matter should be referred to a Committee, who should "report the amount and nature of the force which they would recommend for the ordinary garrison of these Settlements." The matter was, therefore, referred to a Committee, and they arrived at the conclusion that the cost would amount to about 46,200*l.*, and added "that for the present there shall be further "stationed in the Colony the wing of a battalion of Infantry, costing about 20,000*l.* "per annum, which will be liable to be removed for Imperial purposes." And the War Office again, on the 28th March 1866, writing to the Colonial Office, says that, under the arrangement, the sum of 50,000*l.* per annum would probably cover the total cost of the garrison to be maintained more exclusively for the military protection of the Straits Settlements. That, sir, then appears to have been the original agreement;

and the same spirit prevailed in the report of the Committee of 1871, in which they go on to add, after submitting their recommendations, that "it is a question whether, when the possibility of a withdrawal of a portion of the troops forming the garrison of the Straits for Imperial service in the China seas is borne in mind, it would not be fair to allow the arrangement to continue under which the Imperial Government pays for one-half of the battalion stationed there."

Sir, it is unnecessary for me to attempt to follow the Colonial Secretary in his very able minute as to a description of the Colony in 1861, that it was a "remote and unimportant Colony," and that "Singapore was merely the chief town of a small Colony." The Secretary of State took advantage of the statement to show, in three paragraphs of this despatch, how even in that distant past it was necessary for the memorialists to remind the Imperial Government of the duties which attached to them. Whatever theoretical arguments the Secretary of State may draw from the representations then made, the practical result was that, whether for sanitary purposes or other cause, the Imperial Government accepted the charge of a portion of the troops maintained here. But in 1861 fortifications and armaments were not called for. The manifest intention of the French to "establish themselves permanently in Cochin-China" had not been fully realised. The Suez Canal had not then opened these waters to a vast access of trade and shipping of all nations; other European Powers had not then entered into colonizing competition. England was undisputed mistress of these seas, and there was no occasion for fortifications and armaments. That there is now a changed condition of affairs in this Colony was admitted by the Secretary of State himself in the very despatch of 3rd March 1873, to which he refers your Excellency in correcting what he considers to have been a mistake in your own despatch, for he says "the local revenues cannot be relieved from what may be determined to be a *reasonable contribution* towards the cost of such defence;" and he adds that "the suggestion that the proposed permanent works of defence should be constructed entirely at the cost of the Home Government cannot be entertained," showing clearly that the Imperial Government were prepared to take a large portion of the cost, and whatever can be argued from the action of the Colony in 1872, must be withdrawn since the Colony came forward and at its own cost constructed the forts now in existence.

Now, the result of all this is to show that you are here forming an "Imperial military station," contrary altogether to the principle that was laid down in the despatch of the War Office of the 11th May, 1865; the amount of the garrison is no longer "to be determined by the wants of the inhabitants," but the troops are placed here mainly for Imperial purposes. How, then, I wish to ask, can the arguments put forward in 1861 and 1866—even if admitted to be valid then, which we do not admit—be any longer sufficient? That is to say, that the principle laid down in 1865, and acted upon, that the garrison was to be determined by the wants of the people is to be ruthlessly set aside—and that the condition named in the War Office letter, viz., "a *sine quâ non* condition of the consent of the Imperial Government to the transfer that it is to cost no additional burden on Imperial Exchequer," which, ruled by the principle I have named, the regulation of the garrison by the wants of the inhabitants, would not be too onerous or unjust, is to be applied to an entirely different state of affairs. The increased garrison here is not maintained for Colonial purposes, it is for the purposes of the defences. Its strength and cost is determined from home by Imperial considerations. If it is admitted that this Colony is to be liable for all military expenditure, it follows that the Colonial Government will have no means of determining its extent, and this Council no control over the votes, which have been, and will be, forced through by the official majority, even although that majority is opposed to them. And as time goes on these military demands are sure to increase, to become more aggressive; with varying conditions of warfare more forts may be called for, larger garrisons will be required, and with the Colonial chest open to them, and backed up by Imperial departments which have no longer any fear of increase to the Army Estimates, the requirements will grow, and past experience shows that the Colonial Office may not, or will not, be able to resist them.

These, sir, are fair deductions from the despatch before us, and not figures of speech, as may be seen from the barracks project. The Secretary of State suggested that the new barracks might cost 60,000*l.*, and was willing, not only that our balances should be swamped, but even that a loan should be contracted to meet the cost of the barracks. The Secretary of State is ready enough to refer to the original agreement when he thinks it can be fixed against the Colony, but he ignores that portion of the agreement of 1866, which provides that the cost of barracks for Imperial troops should be borne by the Imperial Government, and takes shelter behind Sir Frederick Dickson's despatch as to lands and buildings for military purposes, which was laid on the table last

week. In October last a vote was taken for temporary barracks on Blakan Mati. The Officer Administering the Government said the "Council went before the Government" in thinking the barracks should be built by the Colony, but I must join issue with him on that point. Mr. Adamson accepted such proposal only on condition of the spirit of the resolution being accepted by Her Majesty's Government. Be that as it may, the proposed arrangement is exceedingly insecure. It means that the Council is to have no voice and no control over the works. There are to be "approximate estimates" only. I am not alluding only to the temporary barracks now being built, but to the whole scheme. The War Office declines to be bound by estimates, beyond taking every care and with the lack of experience of the military, of local contractors and local rates, it is safe to say that the estimates will be exceeded. If the difference is great, the matter is to be referred home to the Secretaries of War and for the Colonies, and there is too much reason to fear that the Colonial Office in such case will go to the wall. Whether, therefore, barracks are to be erected at Blakan Mati, whether, contrary to all previous experience, that island is found healthy, or to be built elsewhere, there will be a heavy expenditure to the Colony, large barracks, officers' quarters, administrative buildings, and so on; all this expenditure, dictated by military authorities, who have not first at heart the welfare and interests of the Colony, secondary at any rate to the establishment of military supremacy—who will act solely from an Imperial point of view, and not to be actuated by the principles of economy and concern which guide us in framing our Colonial estimates. Therefore, in addition to the heavy Military Contribution, we are to be burdened with an expenditure on works to which there is practically no definable limit; and with respect to lands the minutes attached to Sir Frederick Dickson's despatch are by no means pleasant reading. If it applies to lands which the military at present possess, or includes additional Crown lands, there may not be so much objection, but the meaning is obscure, and it may probably be that they want private lands—land owned by private proprietors. Now, these would be in the vicinity of the forts, and every one knows they would comprise the most valuable lands to be found in the Settlement. What such an expenditure may mean to the Colony I will leave honourable members themselves, who are acquainted with the value of land, even though it be taken under the Act, to estimate. The Secretary of State contemplates a heavy cost, because he says with reference to the scheme which has been adopted for this Colony, "It may occasionally entail upon a Colony an expenditure disproportionate to its means."

With such an expenditure as this before us, it may indeed, sir, be a matter for consideration whether it is not possible to find some more economical scheme by which Colonial interests may be defended. The Secretary of State, in his despatch of 13th December 1889, says, "self-preservation is the first law of nature." Admitted, the principle applies not only to the protection of our material interests, but also to protection from predatory and outrageous demands upon the Colonial purse. Sir, we do not admit for a moment that this question is to be measured "by the means of the people," as stated in the despatch of 1865. We do not admit that it is a question of per-centage. In a memorial presented to the Secretary of State by the Ceylon Association, signed by four ex-Governors, who would be acquainted with what they advanced, and have had access to papers not known to the public, it is said:—"The papers that have from 'time to time (been) laid before the Council show how strongly the Colonial Office has felt 'the importance of insisting upon the principle that the payment made should not be a 'percentage on the Colonial revenue, but the amount of the cost of the troops required for 'Colonial purposes, and it has always declined to make the amount of revenue the measure 'of contribution.'"

These words apply equally to this Colony, and the further arguments advanced by the Secretary of State for the purpose of contesting the point appear to me to be fallacious. In paragraph 23 he points out that the Colony had gained the advantage of a rise in exchange inasmuch as it had effected a saving of 107,000 dollars on remittances to the Crown Agents last year. It is not denied that the advance in exchange has been of benefit for sterling remittances, but there is a corresponding decrease in silver values of almost every article of produce—that is to say, of our export trade. Gold values at home have not correspondingly advanced; on the contrary, they have declined, owing to the monetary pressure and consequent depression. The resultant loss has almost entirely fallen on the planter and tin-miner of the Colony. The difference estimated by the Secretary of State at *8d.* in the dollar in exchange—or in other words the loss in values—has been borne by them; and what that means I shall show by the following statement, which I am permitted to say was drawn from known facts, and published in one of the

local papers at the end of the year :—“ A very important shrinkage in the price of nearly every article of export has steadily proceeded throughout the year. Thus tin, which stood at 35 dollars 25 cents on 31st December 1889, is one year later 30 dollars 70 cents, having meanwhile been even lower ; gambier a year ago was 8 dollars, whereas it is now 5 dollars 80 cents ; black pepper 17 dollars, and is now only 10 dollars 75 cents, and tapioca, which stood at about 5 dollars 15 cents, has declined to about 3 dollars 80 cents. It is not very wide of the mark, therefore, to say that the marketing of these four articles of export at both ports of the Straits Settlements (notwithstanding the fact the last three show increased *quantities* for 1890, averaging over 13 per cent.) represents to the producers a total shrinkage of money amounting to over 6,000,000 dollars,” and figures taken from the Chamber of Commerce Returns corroborate the statement, thus : in February last year, exchange for four months’ sight bank bills was 3s. 1 $\frac{3}{4}$ d.; gambier, 8 dollars per pikul ; black pepper, 16 dollars 75 cents ; tin, 34 dollars 12 $\frac{1}{2}$ cents, and tapioca, 5 dollars 15 cents. In June, exchange had advanced to 3s. 6 $\frac{1}{8}$ d. ; gambier fallen to 7 dollars 70 cents ; black pepper to 14 dollars 45 cents ; tin to 32 dollars 62 $\frac{1}{2}$ cents, and tapioca to 4 dollars 87 $\frac{1}{2}$ cents. In September, exchange was 3s. 10 $\frac{3}{8}$ d. ; gambier down to 6 dollars ; pepper, 13 dollars 25 cents ; tin to 29 dollars 62 $\frac{1}{2}$ cents, and tapioca to 4 dollars 25 cents ; and, finally in December, exchange was 3s. 7 $\frac{1}{2}$ d. ; gambier, 5 dollars 75 cents ; pepper, 10 dollars 50 cents ; tin, 30 dollars 35 cents, and tapioca 3 dollars 85 cents.]

These figures show clearly that, taking into consideration seasons and other accidents of prices, as exchange advanced, so the price of produce fell. And if there is any further evidence required for the loss indirectly due to higher exchanges, it is to be ascertained by reference to the public revenue. In Penang there has been a loss on the excise farms, as the Secretary of State observes, of 420,750 dollars ; while in Singapore, as may be gathered from the answer to a question at our last meeting, there is a loss of 240,000 dollars ; making a total of 660,750 dollars. I might easily deal with other branches of the revenue ; for instance, stamps, but I am content to take my stand upon this excise revenue, from which the contribution must mainly be paid. We know what is likely to take place in the next three years, and the saving of 107,000 dollars mentioned by the Secretary of State may be regarded, in comparison to the depletion of revenue, as a mere bagatelle. And so in paragraph 22, the Secretary of State states that the revenue for 1891 “ represents a much higher sum in sterling than “ Her Majesty’s Government contemplated as the normal receipt when they demanded a “ contribution of 100,000*l.* ; ” but the subsequent decline in sterling exchange will show that, instead of being larger, it is actually a smaller sum in sterling, the actual receipt in dollars being also less than in 1886. All this shows, in my humble opinion, that the matter has not received the “ careful examination ” of Her Majesty’s Government claimed for it in the despatch.

Our balances at the end of 1890 were 694,000 dollars, and from these you have to allow a loan to Pahang of 200,000 dollars. The Colonial Secretary, in moving the votes, did not state how they are to be met, but it is impossible they can be met out of our balances, and you will be obliged to realise a considerable portion of your reserves. The outlook, therefore, is by no means promising ; the Secretary of State himself fully recognises this, because in his despatch upon the Estimates, in paragraph 5, he has to “ request that in future years no Public Works Budget may be brought before the “ Legislative Council which involves drawing upon surplus balances unless the previous “ authority of the Secretary of State has been obtained.” The Budget which was submitted and passed by this Council in October last was distinctly moderate ; the Finance Committee cut it down to a considerable extent in order that the public works and other charges might be brought within available balances for the year. It now appears that the Budget is to be still further reduced. As regards Penang, the new post-office is to be postponed, and the time for building the court-house is to be extended ; our own court-house is to remain a dungeon ; and, worst of all, the time for constructing the waterworks at Malacca is to be extended, and the vote is cut down by 100,000 dollars. All this for the purpose of meeting an Imperial expenditure which seems to have no end, and, in the extent of which the Colony has no concern.

Sir, as I read through this despatch, it seems to me it might well have been written by Her Majesty’s Treasury, concerned, only equitably or otherwise, for the interests of the British taxpayer, and not waiting to consider whether these might not possibly be better advanced by the development of the States around us rather than by an infinitesimal reduction in the Army Estimates. It would not have been surprising if it had been dictated by the War Office, who, with the fear of the House of Commons before their

eyes, are concerned only in procuring a reduction of the Army votes, but that it should have been written by the Colonial Office, to whom are entrusted the interests, more especially of Crown Colonies which are helpless, and in the last resort look to the Secretary of State for protection from such claims, is one of the worst features of the whole question. A grave constitutional principle, in truth, here arises. Article X. of the Letters Patent "delegates to the persons who shall from time to time compose the said Legislative Council full power and authority to make such provisions and regulations for the raising and expenditure of the public revenues, as may be deemed advisable for the peace, order, and good government of Our subjects within Our Settlements"; and it may be a question as to how far the Secretary of State is justified—by what reason, other than that of mere might—he can divert the revenue to any other purposes than are herein set forth. It is not "for the peace, order, and good government of Our subjects" that these heavy votes are demanded. They are demanded for the execution of Imperial duties, and they belong to the Imperial Exchequer, and not to us. The result cannot but be the subversion of good government, the causing of strained relations between the Government and the governed, and to render people unwilling to assist the Government. It shows, too, that sure reliance cannot be placed on the Colonial Office, and that our best interests are sacrificed to home purposes. How is it that Colonies like Jamaica and Mauritius are not included in this heavy military charge? Because popular opinion is more strongly represented in their Councils, and they are resolved that Her Majesty's Government shall not forget nor shirk the Imperial duties which belong to them. There is not a trace in the despatch of any attempt to procure modification of the compact of 1889. We were not even consulted in the matter. The Secretary of State knows what was the result in 1872, and so the defendant, without a hearing, is to be mulcted in full costs. The sum total obtained from representations on this side is to be found in paragraph 2, wherein the "thanks of Her Majesty's Government are conveyed" to your Excellency for your able despatch in which you set forth the views of the Colony, and to the members of both Councils for the exhaustive and temperate manner in which they have discussed the whole subject. Valued as such acknowledgments may be, they are in the present instance purchased by a price too dear. We regard them not. We sit at this table to represent the interests of the Colony—interests which, in my humble opinion, are being betrayed, and since there is yet to be no remission granted to us by Her Majesty's Government from these heavy charges we shall meet the votes now placed before us with a decided and unanimous negative.

Mr. FINLAYSON.—Sir, for any further light or any different view which I might throw upon this subject, I might well leave the case as it has been represented in the eloquent address which has just been concluded. All that can be urged upon this subject has been urged, and well urged. To my mind the arguments are most convincing, and this reply of the Secretary of State leaves them practically, I may say completely, unrefuted. I am among those who consider that they are not refutable. We have laid our case before the tribunal, but we have pled in vain. There is a little speck which dims the logical vision of the Secretary of State and prevents his taking impartially a view of the matter. That little speck is the fact that in this Colony's Treasury there happens to be a little money which the Chancellor of the Exchequer would like to see in *his*, and all our arguments are brushed aside or ignored to compass that end. This Colony happens, as an exception, to be rather more than solvent, and is accordingly fair game for a squeeze. There is, as I say, a little money in the Treasury. The money is urgently wanted for the development of the Colony. One of the native States is making heavy calls upon us—a State in whose ultimate emerging into prosperity we are deeply interested; and, above all, the money is wanted for the amelioration of the people who pay us our revenue. But to the Secretary of State these are no reasons why it should not be grabbed.

The gist of this reply, it seems to me, is the worn-out argument that the transfer of this Colony to the Crown was sanctioned only on the understanding that it should not cost the British Government anything for civil or military establishments. Now, whatever force there may have been in this unenterprising prudence in 1866 is completely lost now by the revolutionized circumstances which have been brought about by the Suez Canal. We were then a mere by-way, we are now the highway to the uttermost possessions and interests of the Empire. There is running through this despatch the sentiment that whereas Great Britain is everything to this Colony, this Colony is absolutely of no consequence to Great Britain. Now, sir, I hold that this contention can only be attempted by one who does not know, or who will not allow himself to be informed, of the conditions of the Colony, the people, the trade, and above all of the

unrivalled geographical position of this Settlement as an Imperial outpost. Sir, Britain possesses in this Settlement one of the finest Imperial outposts which a nation might well wish to have. France knows this, and Russia knows it even better. Ask these two nations why they would like to have Singapore. For its not unimportant shipping trade? No, sir, but because they have realised its paramount importance as a link in the chain of Imperial outposts. And, sir, the fact is that, through the clamour of qualified people, the British Government itself has also at last awaked to the importance of our position and the absolute necessity of maintaining it in that effective state demonstrated by experts to be a *sine quâ non* of Imperial administration. But they do not stomach the expense of doing this, and they have meanly decided to shirk the burden of it, and to throw it upon the shoulders of a Colony so constituted as yet to be unable to resist the imposition.

As far as I can make out, the pretence is that this action is necessary in a consideration of the British taxpayer. Sir, if you will pardon the colloquialism, this is "too thin." The intelligent British taxpayer fully recognises the importance to him of his Colonies, and, in the light of the best of self-interest, would be the last to advocate any shirking from the responsibility of expense of protecting them. Now, sir, if I may be pardoned the liberty of obtruding upon the honourable Council a paltry personal detail—I bring it forward most reluctantly, because I dare say it will be pushed by those who are not on my side in this question, into a prominence to which it is not entitled, but it is a point of view I have taken in considering this subject, and I have decided to name it—I am myself a British taxpayer. It so happens—in common I dare say with many in this Colony, and no doubt at this table—that the greater portion of my income falls to be paid in London, and upon every penny of that I, of course, as is most proper, pay British income-tax. Now, sir, as a British taxpayer, I am ashamed of this exaction. I object to this Colony being burdened with a military expenditure far beyond its own necessities and almost certainly in time to be beyond its means, merely that I may be spared the microscopic portion of a penny which it may save me and my fellow British taxpayers. And many of, I dare say all, the British taxpayers who know this Colony and its conditions well, will agree with me in regarding this repudiation of what, for want of a more dignified phrase, may be called the "trade expenses" of the Empire, as the most miserable policy.

Sir, as one of the Colony I protest. For 23 years the principle has been recognised and acted upon, that this Colony *contributes* to the military expenditure necessitated by the position of this Settlement. The proportion of its contribution has been arrived at by a consideration of the divisions of Colonial and Imperial interests. To my mind the proportions arrived at in 1889 were equitable, and I know of no reason for disturbing them, still I would not stand out against a reconsideration of them on the plea, perhaps, of the progress of the Colony itself. But, sir, the proportions suggested by this despatch I regard as most unjust. I would hold, with Mr. Adamson, that half and half is a fair division of the expense, and I do so believing thoroughly in the sentiment that the Colonies are as much to Great Britain as Great Britain is to the Colonies.

Sir, I cannot resume my seat without expressing a feeling of great astonishment and deep regret that a reference in two of the minutes of members of the Executive Council has been contemptuously ignored. That this Colony should be condemned literally to groan under a curse inflicted upon it by a handful of people utterly ignorant of the conditions of our society, is a disgrace to civilised Government.

Mr. BURKINSHAW.—Sir, I rise with the conviction that, excellent as the arguments that we have heard have been, as possibly any argument brought forward by other members at this table may be, all arguments upon this question may be regarded as almost utterly useless. The time is not one for argument but for action—action not, in my mind, in this country, but in England. Notwithstanding that this is the view I take, there are considerations to which I would point attention, one or two especially which the first speaker has not pointed attention to. The cost which it was proposed to offer in the former debate, that this Colony was willing to bear as contribution toward the military defences was 80,000/., and was put at the outside at 100,000/. Well I take it that for 80,000/., or at the utmost 100,000/., this Colony would be very well able to provide for itself such defences as are necessary in the Colony's own interest. I admit, in saying this, that the defences which we could get for 80,000/. provided by ourselves would probably not be so good as the defences furnished by the Imperial Government in return for the amount of money given in contribution, but they would be good enough, and as the whole argument for demanding from us a larger contribution than we have hitherto made is based almost entirely on the claim that this question is not one of Imperial

interest at all, we have a right, in fairness to ourselves, to say that, if it is not a matter of Imperial interest, we are the persons, administering our own finances, to judge whether we can get the best return for our money, spending it as we propose to do in providing for our own defence.

According to the indication of the despatches of the Secretary of State, we have no other course open to us than to expect that, at the end of 1893, we shall be called upon to pay the whole of the military expenditure for maintaining forces in this Colony—not the whole of the expenditure for the forces that it has been indicated in these despatches will be probably the forces that then will be there, but the whole expenditure of the forces which the Government for the time being may think fit to place here, and it is quite within the bounds of probability that by the end of 1893 the Imperial Government, if it proceeds with reference to this Colony on the same principle as it now proceeds on, may think it necessary to have double the forces they have here now, and if we have any dollars that can be found to pay for those forces those dollars can be taken with the same amount of justice as the whole 135,000*l.* per annum for present forces can now be taken. And not only that, but when we are compelled to pay for those forces we have no security whatever that when they are most wanted they would not be taken away. Looking at the matter from that position, we can only foresee that there is a strong possibility of Singapore being made a military dépôt for the Imperial forces in the East to be paid for when they are not in actual service, but to be possibly withdrawn in time of war and used where the Imperial Government thinks they can be better used elsewhere, and the interests of the Colony be utterly sacrificed. Well, sir, if the matter is looked at from that point of view, I do not think there is anyone who can do anything but characterise that possibility as a monstrous injustice.

Now, in a petition which was recently sent by the Ceylon Association to the Secretary of State, relating to the Ceylon Military Contribution, is contained a quotation of an opinion given by the Colonial Office, which has an important bearing on the point now under consideration. As that petition is signed by three ex-Governors and an ex-Colonial Secretary, I assume that that opinion is correctly quoted, and it is quoted in this wise:—"The Colonial Office has already expressed its opinion that it is obviously "impossible for Her Majesty's Government to insist on the retention of troops by a "Colony which has expressed its readiness to dispense with them." If that be a correct exposition of our position, I say the time has come, in view of the possibility of what we may be subjected to in future years, to ask the Imperial Government to gradually withdraw their forces, and leave us to provide ourselves with our own forces and defend ourselves. That would be a smaller thing. They would be smaller defences, and smaller defences are all that, under ordinary circumstances, are required.

In the despatch of the Secretary of State reference is made to the large stores of coal that we have, inviting attack. Now, looking at these stores of coal, not from the point of any Imperial interest, but from that of our own interest, it will be more economical to rely on our power, when the danger of those coals being seized arises, to burn them, and thus take away the temptation to the foreigner to take this place at any cost. That would be better, in the view of the Colony's interest only, than the maintaining of enormous forces to prevent those coals being taken by an enemy at any cost. In the same despatch the Secretary of State more than once points out that self-protection is the first duty of every community. It is in self-protection that I put forward this line of argument. In self-protection we should take this action, and in self-protection only.

I said in beginning my remarks that I regarded the case as one beyond argument, because all arguments are ignored. There are, in the claims made against us, laid down no principles of apportionment of either our duty or our liability. Our claim to any apportionment seems to be ignored. That being so, I say that the time has come for us not to advance arguments which are ignored, but to draw attention in the English House of Commons to the action which is being taken towards this Colony—to point out there, through British Members of Parliament, to the British public that the reduction in the Army vote which is put forward to take the British public is a mere pretence—that the money that is put forward as saved to one section of Her Majesty's subjects is being taken away from another, to the disadvantage of both. I conceive that, in the British House of Commons, and amongst the multitude of British taxpayers there will be many who, like the honourable gentleman on my left, will be ashamed when they know the circumstances under which this money is taken, when they learn that this action is taken to save them an infinitesimal part of the burden of their taxation, but involving the stoppage of the progress of this Colony, and the possible ruin if matters go on in their sequence to the extremity, I have indicated—if the military forces are increased beyond the limits which have been indicated in the despatch.

Mr. VERMONT.—Sir, it is not at all surprising that this end of the table should be alarmed at the excessive demands made by the home authorities for Military Contribution on this Colony, although, no doubt, the Settlements are under a bond made at the transfer in 1866, that according to the means and ability of the community the home authorities should not be encumbered with any civil or military charges. We have met that to the best of our abilities, and are perfectly prepared and willing to pay honest and conscientious demands. But the present demand is so outrageous that it is not at all surprising that we should rise as one man to resist it. No doubt, when that bond or agreement was made, the Settlement was in a different position. We have heard that the Suez Canal was not then opened, trade was not so prosperous. However, I cannot see for a moment how, under these altered circumstances, they should make this demand, especially under our altered position, so far as revenue is concerned. There are many demands upon our revenue which, to carry on the prosperity of the Settlements, must be met. We want railways and we want public buildings, and all which is to be put in abeyance to meet this unusual demand from the military authorities.

The demand made upon us is simply for the protection of Singapore, or, in other words, a coaling station. There is no doubt that the coaling station is absolutely necessary for Her Majesty's Navy.

At the same time I cannot understand why the whole of the Settlements, Penang, Malacca, and Singapore should be taxed for the benefit of the coaling station, which is kept up entirely for Imperial purposes. We are quite willing to stand half the expenses; we are quite prepared to do so, but I certainly think that the Imperial Government should also stand its fair share of expenditure. The protection that is now claimed is not wanted for the Colony as a colony; it is wanted to protect the coals, and also for Imperial purposes; and I therefore consider that the charge upon us is one which cannot by any possibility be explained why we should have to pay it. There is Penang, the northern Settlement, with but a few troops, and we have no doubt, in time of war, those troops will be recalled, and we shall be left entirely defenceless, left to the mercy of any enemy that might come upon us; and therefore on those grounds I object that any portion of the revenue from that part of the Settlement should go towards defending our Imperial station. I repeat that the demand upon us by the Home Government is not for the purpose of defending the Colony, but for Imperial purposes, and I therefore would support my brother non-officials in opposing the vote put before us.

Mr. MURRAY.—Sir, in entering upon this debate, I cannot but feel a very large measure of regret, and of indignation—regret that an act of political dishonesty is being committed, whereby British Ministers debase Colonial Administration to some move for the benefit of their party, and delude themselves with the idea that they are doing an act of justice to the British taxpayer, indignation at the calm effrontery shown by the Secretary of State in never attempting to meet the arguments brought forward at this table a year ago when this matter was under discussion, or answering your Excellency's very able despatch, and the minutes of your Excellency's Executive. For the fairness of that despatch and those minutes we are grateful.

The Secretary of State has shown himself anything but a champion of Colonial rights. He tells us that this matter has been under the careful consideration of the Secretary of State for War, of the Lords Commissioners of Her Majesty's Treasury, and of himself. He does not tell us that he has urged our views, and we are left to conclude that he concurs with the other Ministers in effecting this robbery. He goes on to tell us that Her Majesty's Ministers decline "to be influenced by arguments put forward" (to use his own words) "so temperately and so fully"—arguments which, as has already been said, he does not take the trouble to discuss. He goes on to tell us, in paragraph 6, of the Home Government "having distinctly and repeatedly declined" "to assume any responsibility for either the civil or military expenditure of the Colony." I deny, sir, that it is the military expenditure of the Colony. It is the military expenditure of the Home Government in the Colony for Imperial purposes. In paragraph 18 we are told, "Looking to the facts that the arguments urged in 1861-66 were held to be insufficient to induce the Government to bear any part of the military expenditure of the Colony (again of the Colony, sir) or to assent to its transfer to Imperial rule until it could be assured that no such charges would fall on the Exchequer, there seems no reason why similar arguments repeated now should induce the Government to assume charges which it was in 1866 distinctly stipulated should not be entailed upon this country by the transfer." 1861-1866! Since those years, sir, the Colony has advanced in prosperity and in wiser methods of

local government, but 20 years and more of the additional experience of Colonial administration has brought to the narrow minds of Downing Street no light, no better appreciation of what is fair and what is right. Ought we to be surprised? Have we not before us the early history of British Colonies, in America, in Canada, in Australia? Injustice written in nearly every page. Sir Gavan Duffy, writing upon the Colonies (not Crown Colonies) last year, says: "In the history of human perversity there is scarcely a chapter more marvellous, more grotesque, or more humiliating than the story how British Colonies obtained the liberty they enjoy." In His Majesty King George III.'s reign an Act was passed "renouncing the right of imposing on Colonies any duty, tax, or impost for Imperial purposes." That, sir, was after the experience gained in the American contest. That Act provided "that the duties raised in a Colony should be spent on the Colony, and by the authority of the Colony." We know too well, sir, how Crown Colony Government drives a coach and four through that Act, and we are left with anything but a conviction of fair play, which, as your Excellency is aware, is the basis of successful government. Lord Carrington, speaking only a few weeks ago at a meeting at the Royal Colonial Institute, over which the Prince of Wales presided, and at which Lord Knutsford was present, said, speaking of Australia: "The idea of the 'people there was 'Hurrah for the sovereignty of the Queen, but be pleased not to put it in force to cripple the free expansion of Australian self-governing communities.'" That sentence, sir, with modification, applies to our position here. In it we have the gloved hand. Our hand has not the strength that requires the softening of the glove. Had it, this robbery should not be.

I now, sir, will weigh the denial by the British Government of Imperial interests in this Colony. Such denial means one of two things—that there are Imperial interests in the Colony, but that Her Majesty's Government intends to force the Colony at her own cost to defend them, or that there are no such interests. We from time to time see allusions in the home press, sir, to "our only general." We out here, too, have our only general, in my honourable and gallant friend, the distinguished Officer (Sir Charles Warren) on your right. He is an Imperial interest for whom we have been told to provide, and I find, by the papers laid upon this table at our last meeting, that we have to "protect" him from the elements at a cost to the Colony of 110 dollars a month. If there are no Imperial interests in the Colony, let us be plainly told that the colony is of no value—that Great Britain abandons all old notions of her prosperity being in her trade. Let us be told that her trade with what country soever, foreign or colonial, is no longer of Imperial importance, and that as a consequence the protecting and helping points along the great trade routes are no longer Imperial interests. With such a declaration, such a declaration honestly made before us, our future would be full of possibilities, possibilities which I cannot for a moment believe Her Majesty's Government would be so insensate as to allow to enter within the range of practical politics, but possibilities, nevertheless, under which, if we had unfortunately to face them, our instincts would lead us to an existence fraught with danger at times, I am bound to admit, but freer from injustice. Rage, sir, would be impotent. We are in sore trial, but we are still loyal. I would, however, remind Her Majesty's Government that loyalty is a hardy plant which asks for a fair field and no favour; it withers under injustice.

Mr. KENNEDY.—Sir, when the vote for the Military Contribution was taken a year ago, I believe I was alone at this table in asserting that no additional contribution should be paid towards Imperial purposes. Sir, further consideration of the subject has left me with this opinion unaltered. In fact, I am more positive now than ever of the perfect justice of the position I then took up. I am not going to-day, sir, to dwell at length on the whole subject, or to deal with it from a Colonial point of view, because all the members that have previously spoken have spoken on it from a Colonial point of view. I am going to deal with it as the representative of Penang, and of that Settlement only, a Settlement which is paying for an amount of protection which in time of war it would not receive. I have taken the trouble, sir, to get some figures together showing the position of Penang towards the other Settlements.

On the 31st December 1889 there was a balance of 1,541,364 dollars to the credit of the Colony; the surplus revenue anticipated in 1890 was 164,000 dollars, which would leave at the end of 1890, 1,705,364 dollars for a surplus. The revenue of Penang in ten years, from 1880 to 1889, was 11,529,775 dollars; the expenditure was 8,237,655 dollars, leaving a surplus of 3,292,119 dollars. But there are certain items which are not put down to Penang, but all against Singapore, part of which belong to Penang. For convenience sake, the Government put them all down to Singapore expenditure.

These amount to 2,209,044 dollars. In this calculation which I have taken I have dealt liberally with the other Settlements in assuming that Penang ought to pay one-fourth of the military expenditure; from all circumstances which are now arising, and from what we see in the future, a remarkably liberal allowance. Well, sir, that leaves 1,083,075 dollars of the Penang surplus. My calculation was that there would be a surplus of 322,000 dollars of revenue over expenditure, but I am credibly informed it will be nearly 500,000 dollars, which makes 1,405,075 dollars surplus, leaving a balance to the credit of the Colony this year of 1,705,361 dollars, only 300,000 dollars of which belongs to Singapore. The whole of the rest of the immense surplus of this Colony is Penang money.

Now, sir, this money has been expended, how? In keeping up to a great extent a military force from which Penang has no protection. Now we had it from your Excellency at this table that in case of war the troops would be removed from Penang. I ask, therefore, of what benefit are the troops to Penang as a military body, and by what right would the Penang people be mulcted to pay for the protection of another Settlement? And you will see, sir, if you go into the figures a little further (I take them from the Budget), that at the end of 1891, with the increased Military Contribution it is proposed to pay, the total surplus of the Colony will be 1,372,000 dollars, a reduction from the present surplus, and the whole of that will be Penang money, because the estimated amount of Penang revenue in excess of expenditure then will be 1,331,000 dollars, in round figures 1,300,000 dollars, and the whole sum will be Penang money. Then, if in the past this surplus has been made up entirely of Penang funds, it logically follows that with an enormously increased Military Contribution the funds of Penang will be taken to pay for the defences of Singapore. If the defences were the defences of the Colony alone, the people of Penang would not grudge it, but when these defences are not for the benefit of the Colony, but, strictly speaking, for Imperial purposes, then a feeling of grudge comes in, which I venture to say is not natural in the Queen's subjects.

But there is a point which I thought some of my honourable friends would have taken up, but which they have left alone, and that is a point advanced in a telegram received to-day, and which I will read to the Council :—

“Sir John Pope Hennessy, M.P., proposed in the House of Commons to place the ports used as coaling stations under naval instead of military control, and urged that the experiment be tried at ports in the Indian and Chinese seas. Lord George Hamilton admitted that there were dangers in the present system, promised to consider the question, and meanwhile would give instructions to try the experiment at a small coaling station in the South Pacific.”

What, sir, does this foreshadow? It foreshadows that these costly forts which we have built for the military will not in future be occupied by the military. The naval authorities will have the control of the coaling station here, and the whole of those costly forts will be useless, unless, as it may possibly be, Her Majesty's Government occupies these forts with Marines, instead of with the military, as at present.

Now, sir, to meet this heavy Military Contribution there is another point regarding Penang which I wish to bring forward. Penang money is being taken away to meet these demands. 210,000 dollars during the last six weeks have been taken out of the Penang Treasury, which I am credibly informed are to pay for Military Contribution for the military defences of Singapore.

Sir, in common with my colleagues here, I protest against the action of the Secretary of State in this matter. The Secretary of State has not dealt fairly with us. He has ignored entirely every idea of fairness, and, Shylock-like, referring to an old bond, demands his pound of flesh. I trust, sir, that this protest though, I fear, with my honourable friend opposite, it will have no effect upon the Colonial Office in the present instance, will have this ultimate effect, that it will keep them in the future from demanding to increase our Military Contribution in the rapacious manner in which they have done now.

MR. TAN-JIAK KIM.—Sir, after giving my most careful consideration to this very important question, and especially after hearing attentively the able arguments of the members at this end of the table, I must say that I do not think I can bring forward any better reason than those adduced by my unofficial colleagues in support of their protest; or, if I attempt to speak, I am afraid I shall merely waste the valuable time of the Council by mere repetition. However, sir, as the humble mouthpiece of the Chinese community, particularly those whose whole fortunes are bound up with the Colony, and are identical with it, I must say that I cordially endorse their views, and strongly support their just and reasonable protest.

On the motion being put, members voted as follows :—

<i>Yes.</i>	<i>No.</i>
The Colonial Engineer.	Mr. Tan-Jiak Kim.
„ Auditor-General.	„ Finlayson.
„ Colonial Treasurer.	„ Murray.
„ Attorney-General.	„ Shelford.
„ Resident Councillor, Malacca.	„ Kennedy.
„ Colonial Secretary.	„ Burkinshaw.
„ Officer Commanding the Troops.	„ Vermont.
„ The Governor.	

The motion was carried.

Mr. SHELFORD.—It now remains for me, sir, on behalf of the unofficial members of the Council, to present a protest against the heavy military charges before us. I present this protest in order that our views may be officially recorded on the minutes, and I would ask whether, in accordance with precedent, it may be read at the table. I desire to add that we reserve to ourselves the right to take such action as, upon further consideration and development of the question, may appear advisable.

The clerk read the protest, as follows :—

“We, the unofficial members of the Legislative Council of the Straits Settlements, desire to record our emphatic protest against the decision of Her Majesty’s Government, as contained in the Secretary of State’s despatch of 10th January 1891.

“We observe with grave apprehension that no serious attempt has been made to meet the forcible arguments advanced by his Excellency the Governor, as well as by the Executive and Legislative Councils, to show that the Colonial revenues should not be chargeable with so heavy a Contribution as was proposed in the first despatch of 13th December 1889, but, on the contrary, it is even suggested that the whole military expenditure may eventually have to be borne by the Colony.

“We have every desire to co-operate loyally with Her Majesty’s Government, and to fulfil all Colonial obligations on fair and equitable terms in the maintenance of the garrison for the forts, but we protest against the present decision as a grave injustice on the following grounds, viz. :—

“(1.) That the increase in the garrison is rendered necessary in consequence of the defences which were constructed almost solely in Imperial interests for the protection of this important coaling station, and not for the protection of the Colony.

“(2.) That the conditions which previously led Her Majesty’s Government to defray the cost of a considerable portion of the garrison apply with far greater force at the present day, in view of the enormous growth of British trade passing through the port, the expansion of Imperial interests, the Colonial extension of other European Powers in this part of the world, and the consequent paramount necessity which exists for securing so important a naval base.

“(3.) That this decision, in view of these considerations, is calculated to involve the Colony in the future in heavy additional expenditure, by its being forced to maintain a garrison out of all proportion to its own requirements, and for the furtherance of purely Imperial interests and exigencies in the direction of which the Government of the Colony would be allowed no part.

“(4.) That in addition to the present heavy Contribution, the Colony is called upon to provide extensive barracks, and, at the demand of the War Office, any lands and buildings which may be required for military purposes, thereby incurring an expenditure which can neither be gauged nor controlled by the Colonial authorities.

“(5.) That this refusal of Her Majesty’s Government to admit any equitable apportionment is in direct violation of the principles recognised in the arrangement approved of by the House of Commons in 1884, under which the costs of the works and armaments was divided between the Imperial and Colonial Governments. Such refusal stands in marked contrast to the consent of the Legislative Council, by resolution of 13th February 1890, to bear one-half of the actual cost of the whole military defence, and, in addition, the entire cost of the barracks required.

“(6.) That this unjust and altogether disproportionate demand upon the resources of the Colony cannot fail seriously to hamper and retard the welfare of the Settlements, and to arrest the progress of the Peninsula, upon the development of which the means to pay these heavy contributions largely depends.

"With reference to the last paragraph in the despatch, wherein the Secretary of State notes with satisfaction that the Council has included the vote of 100,000*l.* in the Estimates for 1891, we assert that it was allowed to pass unchallenged on the assurance that the question was still under the serious consideration of Her Majesty's Government, and that our position would not be invalidated thereby.

"And finally, we protest against the forcing of these military votes through the Council by the use of an arbitrary command of official support in opposition to the views of nearly the whole of its members. Such a course must result in straining to the utmost the good relations which have hitherto existed between the administration and the people, and in destroying all confidence in the impartiality and justice of Her Majesty's Government towards Crown Colonies.

J. M. B. VERMONT.
J. BURKINSHAW.
J. Y. KENNEDY.
T. SHELFORD.
G. S. MURRAY.
J. FINLAYSON.
TAN JIAK KIM."

* * * * *

Enclosure 2 in No. 6.

MINUTE by COLONIAL SECRETARY, TREASURER, AUDITOR-GENERAL, and COLONIAL ENGINEER.

In view of paragraph 18 of despatch of Secretary of State, No. 8, of January 10th, 1891, the refusal of Her Majesty's Government to recognise the Imperial importance of Singapore, and the evident intention to make the Colonial Exchequer ultimately pay the whole cost of the garrison in face of a falling revenue, we consider that the proper policy to be adopted by the Colony, is that it should take upon itself the entire responsibility of the defence of Singapore with local troops, and that it should request Her Majesty's Government to gradually withdraw the Imperial garrison, transferring to this Government any native troops which may have been enrolled. By thus taking upon itself the entire responsibility of its defence, we are of opinion that all Colonial interests will be sufficiently secured with much greater economy than under the arrangements now proposed by Her Majesty's Government, and without entailing on the Colony an expense which, in the present condition of the finances, it cannot properly undertake, especially as it is an expense over which it is allowed no control, and to which it has no power to place a limit.

Having regard to the reduction in revenue on account of the Penang Farm referred to in paragraph 21 of the despatch, and to the further reduction of 240,000 dollars per annum since made in the Singapore Opium and Spirit Farms, and further probable decline in this branch of revenue, we are of opinion that the enforcement of the present demands of Her Majesty's Government can only be met by economies and retrenchments which will seriously prejudice the best interests of the inhabitants of the Colony.

J. F. DICKSON, Colonial Secretary.
E. E. ISEMONGER, Colonial Treasurer.
H. TROTTER, Auditor-General.
H. E. MCCALLUM, Colonial Engineer.

19th February 1891.

Enclosure 3 in No. 6.

EXTRACT from the MINUTES OF PROCEEDINGS of the EXECUTIVE COUNCIL.

19th February 1891.

"His Excellency lays before the Council the Secretary of State's despatch of the 10th January, conveying the decision of Her Majesty's Government as to the Military Contribution to be paid by the Colony, and declining to reduce the demand which has been made for a contribution of 100,000*l.* a year, for the four years ending 31st December 1893.

"His Excellency also lays on the table a statement showing that the amount now due to the 31st December 1890 is about 505,000 dollars, and requires each member to vote for the motion which will be proposed in the Legislative Council that the necessary sum be provided."

The Colonial Secretary, the Treasurer, the Auditor-General, and the Colonial Engineer record the following minute :—

[See Enclosure 2.]

Addendum to Minutes of the 23rd February.

The following letter from his Excellency the General Officer Commanding, regarding the Military Contribution, is ordered to be entered upon the minutes of the Council :—

From GENERAL OFFICER COMMANDING, Straits Settlements, to His Excellency the GOVERNOR, Straits Settlements.

Head-Quarters, Straits Settlements, Singapore,
Sir, February 24, 1891.

It is stated in the despatch of his Excellency Sir Cecil C. Smith, dated 19th February 1890, and laid before the Legislative Council, February 1891, that every member of the Executive Council held the same views as his Excellency on the subject of the Military Contribution.

As I do not [hold], and have not, held the same views as his Excellency, and entirely agree with the general views expressed by the Secretary of State for the Colonies in his despatch of 13th December 1889, and 10th January 1891, I request to exercise my privilege, as an Executive Councillor, in having my views, as given in this letter, recorded in the minutes of the Executive Council.

The Secretary of State states, paragraph 18, 13th December 1889, " 'Self-preservation is the first law of nature,' and if the capture of Singapore would be a serious blow to the Empire in loss of prestige, and by breaking its power in the Eastern Seas, the capture would mean ruin to many inhabitants of the Colony, and severe loss and hardship to all." This statement cannot be denied by any of the inhabitants of the Straits Settlements, and it, therefore, seems to me to be useless for them to assert that the defences, military and naval, are merely for Imperial purposes, and should not be contributed to locally, when the very existence of their trade, both local and general, depends upon these defences.

The reason why the Colony has hitherto been only called upon to pay the cost of the military defence is given in paragraph 17 of the same despatch, and is shown to be a mere matter of convenience; but it is clearly laid down that each Colony should contribute to the defence of the Empire. The defence of the Empire is undertaken by the Navy. The military defences at Singapore are simply part of the naval defence, protecting the coal of the Navy, but in so doing offering an additional security to Singapore.

It seems quite clear to us, therefore, that the Colony is liable to pay the whole of the local defence (i.e., military expenditure), and a proportion of the cost of the Navy, calculated by the Secretary of State at 200,000*l.* per annum, amounting in all to about 350,000*l.* per annum.

In the same way Hong Kong and Ceylon are also liable for almost equal amounts.

The whole difficulty, therefore, lies in the question, "How much can the Straits Settlements fairly pay?" and not "How much ought the Straits Settlements to pay?"

I am of opinion that, from revenues derived from indirect taxation, 100,000*l.* per annum is at present less than the Straits Settlements can fairly pay. None of this money comes out of the pockets of the Europeans. Thus, while the Imperial officers in the Straits Settlements are heavily taxed on their incomes towards the Imperial defence, including that of the Straits Settlements, the Colonial officers, from his Excellency the Governor down to the merchants and tradesmen, pay nothing.

I recommend that there should be an income tax on all property in the Straits Settlements, as in Great Britain, which would yield, probably, from 25,000*l.* to 30,000*l.* per annum, and that this should be added to the Contribution for the defence of the Empire (called at present the Military Contribution).

I have, &c.

(Signed) C. WARREN, Major-General,
Commanding Troops, Straits Settlements.

Addendum to Minutes of the 4th March.

The following further letter from the General Officer Commanding regarding the Military Contribution is read and ordered to be entered on the minutes :—

FROM GENERAL OFFICER COMMANDING, Straits Settlements, to His Excellency the GOVERNOR, Straits Settlements.

Head-Quarters, Straits Settlements, Singapore,

March 3, 1891.

SIR,

WITH reference to your Excellency's observations in Council on my memorandum of the 24th February 1891, it will appear that I mention that it is stated, in your Excellency's despatch of the 19th February 1890, "that every member of the Executive Council held the same views as his Excellency on the subject of the Military Contribution," while the words used by your Excellency are: "I found myself wholly unable to conscientiously support the justice of all the claims which Her Majesty's Government had made, and the same views which I held were shared in by every member of my Council."

I would remind your Excellency and the Council that on the particular occasion, when your Excellency laid the Secretary of State's despatch, on the subject of the Military Contribution, on the table of the Executive Council, the course usually adopted was not pursued, and your Excellency favoured the Council with your views on the subject of the Military Contribution, before asking for the views of the Executive Council.

With reference to the paragraph in my memorandum, "and it therefore seems useless for them (the inhabitants) to assert that the defences, military and naval, are merely for Imperial purposes," in which your Excellency thinks the word "merely" too comprehensive, I would point out that I do not think that this word goes further than those used by your Excellency. In paragraph 14 of your Excellency's despatch you state, "the overwhelming importance of this Settlement as an Imperial coaling station," and again, that "purely Colonial interests at such a time (war) would be of little moment." In other words, that the Colonial interests, as compared with Imperial interests, are of little moment, are overwhelmed and vanished.

I take this opportunity of further stating my opinion that the commercial prosperity of Singapore depends, in a great measure, upon the knowledge of the people, both British and aliens, that the defences are entrusted to the Imperial Navy and Army of Great Britain, and not in any way to the local Colonial Government, and that any interference of the Colonial Government in the administration and efficiency of the Army, including the Volunteer force told off to man the defences, cannot fail to alarm the commercial mind of the people, both British and foreign, and will tend to cause a fall in securities.

I am further of opinion that the agitation which has arisen as to the principles on which the amount of the Military Contribution is based, is likely to unsettle people's minds as to the security of this Settlement in time of war, and must tend to scare away trade and injure the commercial prosperity of these Settlements.

I have to request that this memorandum may be recorded on the minutes of the Executive Council.

I have, &c.

(Signed)

CHARLES WARREN, Major-General,
Commanding Troops, Straits Settlements.

In reply to the Governor the General says that he was present when the Secretary of State's despatch regarding the Contribution was laid before the Council, and his Excellency stated his views upon it, and that he did not express any dissent.

The Governor denies that any unusual course was adopted by him on the occasion referred to.

No. 7.

MEMORANDUM by STRAITS SETTLEMENTS ASSOCIATION on MILITARY CONTRIBUTION by the IMPERIAL GOVERNMENT.

[Answered by No. 11.]

1. The Settlements of Singapore, Penang, and Malacca were originally dependencies of the Government of India, but in 1866, the Imperial Government assumed their charge and made them a Crown Colony, under the title of the "Straits Settlements." The total population is about 537,000 souls, consisting mainly of Chinese, Malays, and natives of British India.

2. At a later period the Native States of Perak, Selangor, Sungie Ujong, and Pahang were placed under the category of protected Native States. The Government of these States is under the advice of European officials, acting on general instructions from the Governor of the Straits Settlements, authorised by the Secretary of State. The revenues and expenditure of the Native States form no part of that of the Colony of the Straits Settlements. The latter, however, has from time to time assisted the States with loans.

3. The revenue of the Colony has hitherto been sufficient for all purposes, but in the present year there has been a marked falling off in the opium revenue, and very serious reductions have had to be made to the farmers of the revenue, owing to their inability to pay the sums for which they had contracted.

4. In addition to the expenses for civil government the Colony has paid to the Imperial Government an annual sum as a "military contribution" for its garrison of 59,300*l.* for the years 1868 to 1871, and 50,145*l.* from 1872 to 1890.

5. These payments were made under an engagement made with the Imperial Government at the time of the transfer in 1866, that it should not be called on to defray any part of the cost of the civil or military government of the new Colony.

6. The nature of that engagement, and of what was understood to be the obligation of the Colony, is shown in a despatch from the Secretary of War to the Colonial Office, dated 11th May 1865, in which he says, referring to the large garrison proposed at a cost of about 63,000*l.*, "I am to request that you will acquaint Mr. Secretary Cardwell that Earl de Grey apprehends that if these Settlements are taken over by the Imperial Government it will not be with a view to hold them as Imperial stations, but in order to meet the often expressed wishes of the local community. *The amount of force to be maintained in them will, therefore, be determined by the wants and means of the inhabitants.*"

7. Again on 28th March 1866 the War Office, in a despatch to the Colonial Office, states that "the sum of 50,000*l.* per annum would probably cover the total cost of the garrison to be maintained more exclusively for the military protection of the Straits Settlements."

8. And on 25th May 1866 the Treasury writes to the Colonial Office stating that "Mr. Cardwell does not consider that the Settlements can be called upon to incur any charge that may be required for the troops *stationed at Singapore for Imperial purposes.*"

9. In 1871 the question of the defences of Singapore was under consideration, in view of the changed circumstances arising from the opening of the Suez Canal, and a Committee was appointed to report on the composition of the garrison and the obligations of the Colony. Lord Kimberley, writing to the War Office in 1871 on the question, says, "He would not feel justified in imposing upon the Settlements an arrangement by which they will be rendered liable to an uncertain charge over which they have no control." The Committee having sent in their report, the Colonial Office decided that the Military Contribution to be paid by the Colony for the future should be fixed at 50,145*l.* per annum, and that, in addition, the Colony should be called upon to provide works and armaments at an expense of 30,000*l.*

10. The Committee closed its report with the following words:—"It is a question when the possibility of the withdrawal of a portion of the troops forming the garrison of the Straits for Imperial service in the China Seas is borne in mind, if it would not be fair to allow the arrangement (made in 1865) to continue, under which the Imperial Government pays for one-half of the battalion stationed there."

11. The arrangement of 1872 was not accepted by the Legislative Council of the Straits Settlements so far as regards the cost of works and armaments, on the ground that these were matters of Imperial concern. This charge was not eventually pressed, and

the Colony continued to pay 50,145*l.* annually until 1890, when claims were made which will be presently stated, and which the Colony now resists.

12. In 1881-82, public attention was called to the insecurity of the foreign coaling stations, of which Singapore had become, since the opening of the Suez Canal, one of the most important. A Royal Commission was appointed under the presidency of Lord Carnarvon, and, after taking exhaustive evidence, reported in July 1882.

On 15th April 1885 a deputation from the Straits Association visited the Horse Guards and had an interview with the Inspector-General of Fortifications, who submitted to them the design of the defences he had got out in consequence of Lord Carnarvon's Commission, selecting and advising that Singapore should be placed in a state of defence as a coaling station for the Imperial Navy and the Imperial Mercantile Marine. At that interview the deputation undertook to advise the public of Singapore to contribute the whole of the outlay on the works, and to place their engineering facilities at the disposal of the Home Government, on the clear understanding that the armament and garrison should be undertaken by the Imperial authorities.

Following this interview, a deputation of the Association was received by Lord Derby at the Colonial Office, when the Inspector-General of Fortifications was present. His Lordship expressed his satisfaction on finding that the Colony would be prepared to pay the cost of the forts, and the deputation had every reason to believe that Her Majesty's Government were prepared to find the rest.

13. When the scheme for the defence of the coaling station of Singapore had been matured, the Colony was asked to vote 75,000*l.* for the construction of forts (since raised to 81,000*l.*), the Imperial Government providing the armament.

14. The Colony most cheerfully co-operated with the Imperial Government, and voted its share of the cost. The necessary works were at once proceeded with, and rapidly finished, long before the promised armament was ready.

15. In 1889 it was rumoured in the Colony that the Imperial Government contemplated a very large increase in the military charges, and early in 1890 a despatch was received from the Secretary of State addressed to the Governor, and dated 13th December 1889, in which he made claims, which are now the subject of dispute.

16. These claims were as follows:—

- (a.) 28,976*l.* being one-half of the loss sustained by the Imperial Exchequer owing to the Military Contribution having in past years been paid in dollars at 4*s.* 3*d.*, instead of in sterling.
- (b.) The Colony to bear any cost incurred up to 31st December 1889 for the repair and maintenance of military works and buildings.
- (c.) The Colony to pay 100,000*l.* a year for Military Contribution, instead of 50,145*l.*, as heretofore.
- (d.) The Colony to provide its own armed police, and to bear the cost of Militia if raised, and Volunteers.
- (e.) During the next five years to pay for the construction of all barracks and other buildings. (This was roughly estimated at 60,000*l.*)
- (f.) This arrangement to be revised not later than 1893, and if, meanwhile, the necessity should arise for further defensive works or an increased garrison, the incidence of the charge to form the subject of separate and special consideration.

It was further intimated that Her Majesty's Government must be understood not to abandon their views that the Colony was liable for the whole of the military expenditure, estimated at 136,154*l.* per annum, although they would not, for the present, press the full claim.

17. This despatch caused great alarm in the Colony: the claims were considered to be excessive, and to be an unfair attempt on the part of the Imperial Government to charge against the Colony, and under cover of an arrangement made for ordinary defence, the cost of special works and a garrison, rendered necessary by Imperial interests.

18. The Colony, to use the words of the Governor (Sir Clementi Smith to Lord Knutsford, 19th February 1890), "Had never shirked meeting all legitimate claims upon it. It is equally ready to meet such claims at this moment, but it does not admit that the claims now made are either equitable or reasonable."

19. Again, on the 21st March 1890 the Governor, in a despatch to the Secretary of State, writes:—"The constituted authorities of the Colony have been required by Her Majesty's Government to meet a money claim without having had an opportunity

“ of having their views on the correctness and justice of the claim considered. Such a course is, so far as I am aware, wholly without precedent.”

20. On the matter coming before the Legislative Council in 1890, the non-officials protested against the vote of an annual sum of 100,000*l.*, but recognising that the Colony indirectly benefited by the additional security given to one part of the Colony, viz., Singapore, expressed its willingness to agree to pay the claim of 28,976*l.*, for loss on exchange, and to vote 60,000*l.* for new barracks, and to adopt the principle that the “ Colony shall in no case pay more than one-half of the actual cost of the whole military defence.”

21. After much correspondence and representations by the Colonists to the Colonial Office, the Secretary of State declined to modify the claims which he had made; and in a despatch to the Governor, dated 10th January 1891, directed him to obtain a vote for 28,976*l.*, and so much of the vote of 100,000*l.* “ as may be still unpaid.”

22. The vote, as instructed, was proposed to the Legislative Council on 5th March 1891, and, notwithstanding the unanimous opposition of the non-official members, was forced through the Council by the votes of the official majority—the votes being eight officials for, and seven non-officials against, the measure.

23. The voting was similar in character to that of the previous year, regarding which the Governor, in his despatch to the Secretary of State, wrote as follows:—(19th February 1890). “ For my own part, I found myself wholly unable to conscientiously support the justice of all the claims which Her Majesty’s Government had made, and “ the same views which I held were shared in by every member of my council. My “ instructions, however, were perfectly clear, and I had to require each member of the “ Executive Council to vote against his conviction, and in support of the claims of “ Her Majesty’s Government. When, therefore, the vote was taken in the Legislative “ Council and was unanimously opposed by the non-official members, it was carried by “ the official majority alone, acting under my instructions.”

24. The Colony does not dispute that it ought to cheerfully bear its share of the cost of the new defences (say one-half), but it asserts—

1st. That the garrison and defences are mainly for the protection of the coal stores at Singapore, which are kept chiefly for Imperial purposes.

2nd. That it is not pretended that the defences, such as they are, cover the town and trade of the island of Singapore, while no defence is provided for Penang and Malacca, whose revenues are to bear a part of the cost.

3rd. That the exaction of 100,000*l.* is an arbitrary measure forced on the Colony without its consent and in direct opposition to the Secretary of State’s despatch in 1871, “ that he would not be justified in imposing upon the Settlement an “ arrangement by which they will be rendered liable to an uncertain charge “ over which they will have no control.”

4th. That this exaction constitutes a distinct breach of faith with the Colony, which was justified in assuming that, if it provided the forts, the armament and garrison would be provided by the Imperial Government.

5th. That it is a relatively much heavier charge than has been made upon any of the Crown Colonies.

25. The Secretary of State sustains his charge on the double ground that he is entitled to make it under the arrangement of 1866, which imposed on the Colony the cost of its military expenditure, and that the Colony can well afford to bear this burden. The Colony replies that a sufficient revenue is no reason for advancing an unjust charge, and points out that its revenue has now considerably fallen off. It urges that the arrangement of 1866 had in view the ordinary defence of the Colony (which had at that time comparatively no through trade), and could not possibly cover the cost of defence called for by the British public to protect stores of coal, kept for Imperial trade, and for the mercantile marine of the Mother Country. That these measures of defence were rendered necessary by an entire change in the conditions of trade, resulting from the opening of the Suez Canal, and must have been undertaken by the Imperial Government, if Singapore had been a barren island like Perim, with no trade but that of supplying coals.

26. The Colony, remembering that it was, as it believes, the first to recognise its duty to co-operate with the Imperial Government, and to make sacrifices to carry out the general policy of defending the foreign coaling stations, feels that its readiness in these respects has only encouraged the Imperial Government to make claims relatively much greater than have been imposed on the other Crown Colonies.

27. The following extracts from despatches and other documents bear upon the general question.

28. As to the arrangement of 1866, the Governor, writing to the Secretary of State on 19th February 1890, states:—"In 1866 it may not have been unreasonable to call on the Colony to provide the cost of its own protection if it wished to sever its connection with India, and it did so by paying not—it is important to notice—the cost of a garrison for Singapore, which is now alone under consideration, but the cost of troops quartered in each of the Settlements, in Singapore, in Penang, and in Malacca. Some troops were for Imperial purposes to be stationed at Singapore, and the cost of their maintenance and their barracks was admittedly an Imperial charge to be borne by the Imperial Exchequer. Her Majesty's Government recognised at the time of the transfer that there were Imperial obligations in regard to such military expenditure, and the Colony was, to that extent, not called upon to share in them.

* * * * *

"If the true interests of the Colony were, in relation to those of Great Britain, represented by the apportionment of the cost of maintaining the garrison now ordered by Her Majesty's Government, viz., that the Colony should pay 100,000*l.*, and the Imperial Government 36,000*l.*, I do not suppose there is any doubt that there would be no defence works or garrison in Singapore any more than in Penang. But Singapore is an Imperial coaling station. The vast commerce of the East with the West, which belongs to British subjects resident in the United Kingdom, only touches at its port."

* * * * *

29. In this despatch the Governor states the revenues of Singapore are 410,000*l.*, and of the whole Colony 750,000*l.*; but, as has been already stated, the fortifications are at Singapore only, and cover only the coal stores.

30. The Colonial Secretary of the Straits Settlements, in a Minute dated 6th February 1890 (Blue Book C. 6290), states:—"It is certain from what has gone before that this Colony will not accept the policy now enunciated as just and fair; that policy means, that the whole cost of the defence of the coaling station, of value chiefly to the Navy and British shipping, is to be thrown upon this scattered Colony, while the Navy is to be free not to undertake its sea defence, but to protect the trade routes of the sea."

31. As regards the apportionment of the cost of the defence of the foreign coaling stations, Lord Hartington, speaking in the House of Commons, with special reference to Singapore and Hong Kong, expressed the opinion that "the question was a novel one, and certainly not without great difficulties, especially in respect to the amount which should be contributed to the cost both of the Local and the Imperial Governments;" while the present Governor-General of Canada stated, "That it would be as unfair to expect a port like that of Liverpool to undertake the costs of its forts, and to maintain them out of the local rates, as to call upon a port like Singapore to bear the whole cost out of its revenue."

32. As to the Imperial character of the defences, the following extracts are conclusive, and it is contended that if Singapore had no trade and was a mere coaling station, it must be adequately protected against an attack from the sea.

33. Sir William Jervois, R.E., G.C.M.G., when Governor of the Straits Settlements, in a report, dated 31st August 1876, says:—"In addition to the consideration that Singapore is one of our chain of coaling stations dividing the distance between those of Hong Kong and Ceylon, it also occupies a most important strategic position with respect to the command of the waters of the Eastern Archipelago I submit that it is of the utmost importance that Singapore should be secured by permanent defences against such attack as may be made upon it by a hostile cruiser or small squadron of vessels. The harbour would thus be made a secure base of operations for the fleet, and the centre of the commercial operations of Great Britain in the Eastern Archipelago would be protected."

34. Sir T. L. Galloway [? Gallwey], when I.G.F., begins a report, dated 23rd December 1880, with these words:—"Singapore offers unusual attractions to an enemy; its position, both strategically and commercially, is of such importance that he would make more than ordinary efforts to obtain possession of it."

35. As to the character of the defences, Major H. E. McCallum, R.E., C.M.G., under whose superintendence the forts were built, in a Minute dated 8th February 1890 (Blue Book C. 6290), writes as follows:—"Not only was the conception of the defences mainly based on Imperial interests, but also the executive recommendations were devoted to the same idea; indeed, so little did the commercial interests weigh in the balance that it was not without some difficulty that the Colony eventually induced Her Majesty's Government to consent to some slight modification whereby a fort was constructed at Tanjong Katong, the better to defend the front of the town. It is even

“doubtful whether this would have been acceded to had not the naval authorities urged, among other things, that the construction of the additional work was necessary for the complete integrity of the War Office project.”

36. The Colonial Secretary, in a Minute dated 8th February 1890 (C. 6290), writes as follows:—“The Straits Settlements are a Colony which has never failed to recognise the benefits which it enjoys from its connexion with the British Empire; it has never failed to discharge the responsibilities which that connexion entails; it has always been ready to contribute a fair share towards its defence. . . . It would, no doubt, cheerfully agree to share the cost of the garrison required for the military defence of Singapore, and to pay a just half, whatever it may be, as far as its means permit, provided that a full and sufficient garrison were maintained. To be made to pay, as is proposed, what, practically, is within a few thousands of the whole cost of the contemplated garrison, and that garrison insufficient in numbers for the duty . . . will, it is feared, be regarded as a wrong and an injustice, from which the known loyalty of the Colony might be expected to secure it.”

37. It is submitted that—

It has been shown that the defences are limited in extent and do not afford full protection to the town and trade of Singapore, while no defences have ever been proposed for the Settlements of Penang and Malacca, distant from Singapore 360 and 120 miles respectively, and whose garrisons would be withdrawn in the event of war.

It cannot therefore be asserted that the protection of the trade of the Colony generally or its internal peace and security were the chief objects of these new defences. They were called into existence by the exigencies of the Empire, and were not due to the political requirements of the Straits Settlements themselves.

The extent of these works, the composition of the garrison—all, in fact, that belong to them—were settled by the Imperial Government alone without any reference whatever to the general wants of the Colony, and that the proof is overwhelming that it was mainly to safeguard Imperial interests that the new harbour of Singapore was fortified, and an increased military expenditure rendered necessary.

There was, it is contended, a distinct agreement with the Colonial Office which is not the less binding that it is conveyed in no written document, and which recognised the Imperial character of the defence under which the Colony agreed to build the forts, and the Imperial Government undertook to find the armament and maintenance.

The public of the Straits Settlements are therefore justified in considering that the enforcement of the present claims is a clear breach of faith with the Colony.

And this breach of faith has been followed by the high-handed proceeding of compelling the Colony, by means of an unwilling official majority in the Legislative Council, to pay claims which it believes to be unreasonable and unjust.

The Imperial Government is bound to keep implicit faith with the outposts of the Empire, and the evil effects of any failure in this respect will not be confined to the Crown Colonies, but will have its influence on the democratic populations of our self-governing Colonies.

The revenue of the Straits Settlements is all required for the supply of its own needs—in improved administration, in urgently wanted public works (which have been deferred by orders of the Secretary of State for the Colonies with a view, probably, to the proposed diversion of its resources), and to aid in the opening up and development of the Malay Peninsula, on which the future prosperity of the Colony is in a great measure dependent.

The control of the revenue of the Colony by the British Government is assumed for the purpose of securing that its resources shall be wisely spent for the benefit of the Colony, and to appropriate this revenue without the consent of the Colony is nothing short of a breach of trust on the part of the Home Government, and is a violation of one of the most essential rights of every British Colony—that it shall have some voice in the spending of its own revenue.

(Signed) THOS. SCOTT,

Hon. Secretary.

Straits Settlements Association,
1, Whittington Avenue, E.C.,
27th April 1891.

STRAITS SETTLEMENTS ASSOCIATION to COLONIAL OFFICE.

Straits Settlements Association,
Whittington Avenue, E.C.,
May 29, 1891.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a petition from British subjects resident at Singapore, in the Colony of the Straits Settlements, praying the House of Commons that the Military Contribution charged to the Colony may receive the consideration of the House, and which was presented on the 26th instant, by Sir Thomas Sutherland, M.P., K.C.M.G.

A petition similar in character has been received from Penang, but owing to some informality in regard to the arrangement of the matter and signatures, it is understood that it cannot be presented.

I have, &c.

(Signed for) THOMAS SCOTT, Chairman.
WM. ADAMSON.

Enclosure in No. 8.

TO THE HONOURABLE THE COMMONS OF GREAT BRITAIN AND IRELAND IN
PARLIAMENT ASSEMBLED.

The HUMBLE PETITION of the undersigned British Subjects resident at Singapore,
in the Colony of the Straits Settlements,

SHEWETH—

THAT your Petitioners have learnt, with much concern, that the amount demanded by Her Majesty's Government, as the Contribution of the Colony towards the military defence of Singapore, has been largely, and as they respectfully submit, unduly increased.

That whereas, until recently, the annual sum paid by the Colony was 50,145*l.*, the amount now demanded is 100,000*l.*, being nearly two-thirds of the actual cost of the maintenance of the garrison, with the intimation of further revision at the end of three years; and, in addition to this, the Colony is called upon to incur a heavy outlay in providing additional barrack accommodation for the troops.

That whilst your Petitioners fully recognise the duty imposed upon the Colony of providing a larger contribution towards the cost of the increased garrison required to defend the forts, which have recently been constructed for the protection of the shipping and coaling station at Singapore, they desire respectfully to petition against the decision of Her Majesty's Government to increase, so disproportionately, the Military Contribution of the Colony, and they submit the following grounds of objection:—

1. That the increase in the garrison of Singapore is rendered necessary in consequence of the defences which were constructed, almost solely in Imperial interests, for the protection of that important coaling station, and not for the protection of the Colony.

2. That the conditions which previously led Her Majesty's Government to defray the cost of a considerable portion of the garrison apply with far greater force at the present day, in view of the enormous growth of British trade passing through the port of Singapore, the expansion of Imperial interests, the Colonial extension of other European Powers in this part of the world, and the consequent paramount necessity which exists for securing so important a naval base.

3. That this decision, in view of these considerations, is calculated to involve the Colony in the future in heavy additional expenditure by its being forced to maintain a garrison out of all proportion to its own requirements, and for the furtherance of purely Imperial interests and exigencies, in the direction of which the Government of the Colony would be allowed no part.

4. That in addition to the present heavy contribution the Colony is called upon to provide extensive barracks, and at the demand of the War Office, any lands and buildings which may be required for military purposes, thereby incurring an expenditure which can neither be gauged, nor controlled, by the Colonial authorities.

5. That this refusal of Her Majesty's Government to allow an equitable apportionment is not in accordance with the principles recognised in the arrangement approved of by

your Honourable House in 1884, under which the costs of the works and armaments was divided between the Imperial and Colonial Governments. Such refusal stands in marked contrast to the consent of the Legislative Council, by resolution of the 13th February 1890, to bear one-half of the actual cost of the whole military defence, and, in addition, the entire cost of the barracks required.

6. That this heavy and altogether disproportionate demand upon the resources of the Colony cannot fail seriously to hamper and retard the welfare of the Settlements, and to arrest the progress of the Peninsula, upon the development of which the means to pay these heavy contributions largely depends. This is evident from the fact that in the present year 250,000 dollars of useful public works, already sanctioned by the Secretary of State, have had to be abandoned.

That your Petitioners feel the more aggrieved in this matter, because the vote for the increased contribution was carried in the Legislative Council of this Colony by the official majority, acting under peremptory instructions from Her Majesty's Secretary of State for the Colonies, notwithstanding the unanimous vote of the unofficial members, and in opposition to the views of nearly the whole of the members of the Executive Government of this Colony, as expressed in a despatch of His Excellency the Governor of the Straits Settlements of the 19th February 1890 to Her Majesty's Secretary of State for the Colonies, and the memoranda therein referred to, copies of which accompany this petition.

Your Petitioners therefore humbly pray that the Military Contribution to be paid by the Colony of the Straits Settlements may receive the careful consideration of your Honourable House, and that it may be fixed at a sum which shall in no case exceed one-half the actual cost of the whole military defence of the Colony.

And your Petitioners, as in duty bound, will ever pray, &c.

No. 9.

LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.

Botolph House, Eastcheap,
London, E.C., 3rd July, 1891.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, copy of a letter, with enclosures, which was yesterday forwarded to the First Lord of the Treasury, in regard to the Military Contribution levied upon the Straits Settlements.

I have, &c.

(Signed) KENRIC B. MURRAY,
Secretary.

Enclosure in No. 9.

SIR,

THIS Chamber having had its attention called to the increased Military Contribution demanded from the Straits Settlements, and having considered the grounds of complaint, now begs to forward the three documents enclosed for your consideration.

The Chamber has received statements on behalf of the Straits Settlements, by which it appears that the Colonists were the first to offer to contribute towards the erection of fortifications, and did so at an outlay of 81,000*l.*, on the understanding that their annual contribution for military force should not exceed about 50,000*l.* It now appears that since 1886 more than the stipulated sum has been annually paid to the Imperial Exchequer, so that in the aggregate the Colony has contributed about 1,200,000*l.*, while many Colonies have done little or nothing in the same direction.

Last year, however, the Governor of the Colony, under instructions from the Colonial Office, was reluctantly compelled to ask the Legislative Council to increase this assessment to 100,000*l.*, subsequently followed by an intimation of the possibility of the contribution being increased three years hence. This seems very hard, in view of the fact that their public revenue has of late been most unfavourably affected, and the Colonists maintain that they are unable to pay more than one-half of the total military cost, which is now stated to be 136,000*l.*

The Colonists have expressed their willingness, as the Chamber is informed, to pay one-half the cost of the garrison, and also of the additional barrack accommodation required, this assessment, it is pointed out, being far in excess of what is ever claimed from other Colonies. Moreover, the defences of Singapore are mainly required for securing its efficiency as an Imperial coaling station, from which but little benefit accrues to the Colony, whilst two-thirds of the ocean steamers only pass through for China, Japan, &c., neither bringing nor taking cargo. The revenue of the Colony is solely derived from internal taxation, no duties being levied on imports or exports, and such an assessment upon the Straits Settlements consequently bears more heavily upon their finances than that made upon other British Colonies.

It will be within your knowledge that a petition was presented to the House of Commons on the 26th ultimo, on this subject, and its prayer was to have been supported by the late Sir Robert Fowler and others, who approved of the objections of the Colonists. But no opportunity is likely now to be afforded of mentioning the subject in Parliament this session; and in view of the fact that the Colonial Office is said to be powerless to reduce the increased amount as assessed last year, the Chamber, considering the claims of the Colony to be worthy of special consideration, ventures to present to you their views upon the subject, in the hope that it may be possible to reduce the claim levied upon the Colony for Imperial defensive purposes, in accordance with the views already expressed by the Imperial Commission, on whose report the Colonial Office formally decided that the Military Contribution to be paid by the Colony for the future, should be fixed at 50,145*l.* per annum.

The Chamber, whilst considering it its duty to lay before you the views of its East India Section, and of the Colonists of the Straits Settlements, fully bears in mind the fact that it is itself responsible to a considerable extent for the agitation which arose some time ago for the strengthening of the Imperial defences.

At the same time the Chamber is specially desirous that the consequent increased assessment should be distributed in such a manner as to enable the Government to recover the full amount without leading to any local dissatisfaction.

I have, &c.
(Signed) KENRIC B. MURRAY,
Secretary.

P.S.—Copies of this letter have been forwarded to the Marquis of Salisbury, Lord Knutsford, and the Chamber of Commerce at Singapore.

No. 10.

LORD KNUTSFORD to SIR C. C. SMITH.

[*Answered by No. 12.*]

SIR,

Downing Street, August 5, 1891.

I HAVE the honour to inform you that Her Majesty's Government have had under their careful consideration your despatch of the 24th of March last,* relative to the Military Contribution, together with further representations† on the subject as noted in the margin, of which copies are enclosed for your information.

2. I have also to enclose, for your information, a copy of a letter‡ addressed by my direction to the Straits Settlements Association, dealing with a particular point in their memorandum which has not been raised in any of your despatches.

3. I stated in the House of Lords on the 24th of July, and I desire now to repeat, that I regret that there has been a feeling in the Colony that the constituted authorities have been treated somewhat hardly, and discourteously, in that the decision of the Government was communicated to the Colonial Government in my despatch of 13th December 1889 before they had had sufficient opportunity of discussing the subject in its details. I need hardly say that nothing could have been further from my wish than to show any discourtesy to the Colony, and I sincerely trust that the following explanation of the action of Her Majesty's Government which I gave in the House of Lords, but which I think should be also recorded in a public despatch, will dispel the

* No. 6.

† No. 7, enclosure in No. 8, and No. 9.

‡ No. 11.

feeling to which you have referred in your despatch of 19th February, 1890.* The main principles by which Her Majesty's Government had to be guided in considering this question of contribution had been fully discussed and settled in the years preceding the transfer of the Colony in 1867 from the Government of India to the Imperial Government. The main arguments now adduced were not only discussed in those years but also at subsequent periods, notably in 1871 and 1873, when the Earl of Kimberley was Secretary of State for the Colonies. The Government before coming to the decision which is now in question had the advantage of the report of the Committee of 1871, and of a very close examination of the whole matter by a strong Departmental Committee of 1888, and they had also before them an elaborate and carefully expressed opinion of Sir F. Dickson, Colonial Secretary of the Straits Settlements. They were also fully acquainted with the financial condition of the Colony, its trade, revenue and expenditure, and other local circumstances, from the annual reports. There had been necessarily some delay in deciding this question of the increase of the Military Contribution, and seeing that the year 1890, for which an increased contribution would be required, was close at hand, it was thought that in the interests of the Colony itself it was desirable that there should be no further delay, and that the decision of the Government should be at once announced. But that announcement was not intended to lessen, nor indeed could it lessen, the opportunities of arguing against this decision, and, as a matter of fact, those who opposed it have very fully and properly availed themselves of their opportunities. And it must be borne in mind that, if the arguments that have been adduced by them had prevailed with the Government, there would have been no difficulty about altering the contribution for future years and adjusting any over-payment for the years 1889, 1890, and 1891.

4. I will now proceed to deal with some points raised in the papers before me, merely observing that many of the representations there made are in substance similar to those which have been previously advanced, and which have been already dealt with. I observe that the unofficial members of the Legislative Council in the course of their protest which accompanied your despatch under acknowledgment, as well as the Straits Settlements Association in paragraphs 24 and 37 of their memorandum, assume that the defences have been constructed for purely Imperial purposes, and afford little or no protection to the Colony and its commerce.

This view is by no means borne out by the letters from the Association of the dates noted in the margin (of which copies were enclosed in a despatch of 28th March, 1885†), or by the interview which the Association had with the Inspector-General of Fortifications in 1885. These show not only that Colonial interests were considered in the scheme of the defence, but that those who formed the deputation at that interview were at that time perfectly satisfied that Colonial interests were being safeguarded. This is clear from the fact that not only was no objection raised by them on the ground that the defences would not protect Colonial interests, but they were apparently so assured on this point that they undertook to advise Singapore to contribute the whole cost of the works, a course which they would scarcely have adopted if they considered that the proposed defences afforded inadequate protection to the Colony.

5. Moreover, you will remember that, with regard to the submarine mining defences for the new harbour, when it was decided that mines were not to be laid down until war was declared, it was telegraphed that the European inhabitants were most anxious on the subject, and in a despatch of 30th April 1885, urging their immediate completion, it was stated that, if necessary, the Colony was prepared to bear the charges connected with those defences.

Again, about the same time there was a request for heavier armament for Tanjong Katong, a fort especially built at the request of the Colony in 1878 to protect the town and roadstead against a bombardment from the sea.

The military view of these latter defences has been stated as follows :—

"From every point of view the most economical plan is to make a strong defence of the new harbour with the support of which Her Majesty's Navy will have the best chance of safeguarding all the interests upon which the prosperity of the Colony depends.

"The battery of Tanjong Katong, which has lately been remodelled and armed with B.L. guns, was intended exclusively for the defence of the town and roadstead of Singapore. This work, taken in connexion with those which have been constructed for the defence of the new harbour, furnishes a degree of protection which would make an attack from the sea in the last degree improbable."

1885 :
27th Feb.
18th March
23rd March

* No. 3 in [C. 6290], March 1891.

† Not printed.

6. It is true that the new harbour defences, while they effectually protect the vast Colonial interests centred there, also protect the coals required to enable the Navy to hold those seas, and to protect the Settlements and their floating commerce. But as long as the Settlements contribute nothing to the cost of the Navy, which is of such vital importance to the safety of the Colony in time of war, it can scarcely be considered unreasonable to require that the armaments that defend the harbour, its docks and commerce, should also defend the naval coal supply, which is essential to a complete defence of the Colony. The fact that these works defend the naval coal supply adds nothing to their cost, nor to the garrison required to man them.

If the Colony is to be defended at all, and the importance which it attached to such defence was clearly proved when danger threatened it in 1885, it could not be effectually defended against an attack from the sea with less complete defences than those that have been provided. It is not alleged that the garrison is excessive; indeed, the Colonial Secretary speaks of it as even inadequate for the purpose, and it cannot, therefore, be maintained that the defences themselves, nor the garrison provided to man them, are in excess of Colonial requirements.

Parliamentary
Paper 259
of 1862,
pp. 66 and
75.

7. A reference to the Parliamentary paper noted in the margin will show that the objections made by the Colony to the defences of 1885, viz., that they are excessive; that they were provided for Imperial and not for Colonial purposes; that they were constructed without reference to the Colony, and that the troops required to man them should be an Imperial charge, are simply a repetition of objections made in 1861-66 in regard to defences provided by the Government of India at that time. Yet within a few years of those objections being made, the Colony was urging on the Imperial Government that it was completely undefended and liable to be seized by an enemy, and pressing for the immediate provision of such increased defences as would ensure the safety of the Colony. Now that it has obtained what it asked for, and no immediate danger threatens, the objections which it made in 1861, objections which circumstances subsequently proved to have been unfounded, are repeated in almost identical language.

8. It is quite true that no defence has been provided for Penang and Malacca, but I have to remind you that the question of the defence of those places was considered by the Committee of 1871, which reported—

“That Penang and Malacca are, from their position and comparatively inferior importance, scarcely liable to external attack, and they do not recommend that any steps should be taken for their defence beyond the general protection which would be afforded by the Navy.”

9. The Government and inhabitants of the Straits were aware of that recommendation, since it was included in the papers communicated to the Governor in Lord Kimberley's despatch of the 26th February 1872, and laid before the Legislative Council in that year; and they have, during the intervening 20 years, never questioned its soundness until now, when it is urged as a reason for not charging the Colony, under the agreement of 1866, with an increased proportion of the cost of the garrison of Singapore.

10. It seems to be assumed in these protests, for instance, in the speech of Mr. Shelford, and in paragraph 3 of your despatch under acknowledgment, and in paragraphs 6-10 of the memorandum of the Straits Settlements Association, that the contribution fixed in 1866, was the amount which it was reasonable that the Colony should bear, and that it was not thenceforth to be varied. But this assumption is based on a misapprehension of the negotiations of 1861-66 and 1871-72. It is true that at one time it was estimated that 50,000*l.* might cover the cost of the garrison, and at another time that 46,200*l.* might suffice, but finally it was found that 59,300*l.* was the amount required, and that amount, and not 50,000*l.*, was the contribution for some years, a fact which the Straits Settlements Association was aware of, and correctly states in its memorandum, though it appears to have been overlooked by yourself and your Council. It was never intended, however, that that amount should be a final and fixed contribution, and the quotations on this point from the correspondence, which are made by the Council and by the Association, are misleading, both in what they give and what they fail to give.

11. The quotation made by Mr. Shelford from the despatch of the Secretary of State for War to the Colonial Office, dated 11th May 1865, stops short in the middle of a sentence, and the part omitted is important, as showing the intention that the cost of the garrison of Singapore was to be a charge against the Colonial revenues. The complete sentence reads as follows :

“The amount of force to be maintained in them (the Settlements) will, therefore, be determined by the wants and means of the inhabitants, it being a *sine quâ non* condition of the consent of the Imperial Government to the transfer that it is to cast no additional burden on the Imperial Exchequer.”

12. In a subsequent letter from the War Office to the Colonial Office, dated 30th January 1866, it is stated that :—

“In the opinion of Lord de Grey, it is the duty of the War Department to determine the number and the composition of the garrison of a Colony; but his Lordship readily admits that in the present instance, when a negotiation is in progress, it may be convenient and proper that the Local Government shall be informed generally what amount of force it is proposed to station in the Straits Settlements, and to maintain there in ordinary times, and he considers that the simplest mode by which this question can be settled would be that Mr. Cardwell should state the sum which the Settlements can fairly be required to pay for their military defence, and that this department should then determine what force can be supplied for that sum. It must, however, be clearly understood that the Imperial Government cannot enter into any engagement, not to increase or diminish the garrison so fixed, if it should be found advisable at any time to do so.”

This letter, which was published at page 44 of Parliamentary Papers (4th June 1866), but which is not referred to in the various protests, shows that the Government held itself free to vary the garrison, and consequently the contribution, whenever circumstances require it.

13. The Straits Settlement Association, in support of the contention that the Government has no right to increase the Military Contribution of the Colony, rely upon Lord Kimberley's statement in his letter to the War Office on the subject of the revised contribution of 1871, viz. :—

“That he would not feel justified in imposing upon the Settlements an arrangement “by which they will be rendered liable to an uncertain charge over which they have “no control,” but that letter had no reference to the general amount of the contribution. It referred solely to the mode of charging the contribution, *i.e.*, whether it should be an estimated amount fixed for a given period without variation, or whether the actual ascertained annual cost should be recovered, as you will see by referring to the correspondence (of which that letter formed a part) which was communicated to you in the above-mentioned despatch of 26th February 1872, and laid before the Legislative Council.

14. It has already been explained in my despatches of 13th December 1889 and 10th January last that the Exchequer has never borne any part of the cost of the permanent garrison of the Straits Settlements. In order, however, to reduce the garrison to the lowest point, and to make the charge for it as little onerous to the Colony as possible, the Government arranged to keep part of the China garrison at Singapore. This led to no extra charge to Imperial revenues, as had the wing of the China regiment not been at Singapore it must have been kept at Hong Kong at Imperial expense, while, as long as the arrangement was feasible, it saved the Colony the charge for one wing of an Infantry regiment. That arrangement, of which the Colony has had the benefits for so many years that it has apparently forgotten its origin and limits, is no longer practicable. The garrison of Hong Kong must be concentrated there ready for immediate service, and Singapore is now liable, as it always has been, to bear the cost of the permanent garrison necessary for its own defence, and, in my opinion, the fact that the Imperial Government was able, without extra cost to itself, to relieve the Colony of a charge of about 40,000*l.* a year for over 20 years, is scarcely a reason for continuing that arrangement when it would impose a direct extra charge on Imperial funds, a course which would be distinctly contrary to the terms on which the transfer of the Colony was accepted.

15. Throughout the correspondence under review the proposed Military Contribution is spoken of as “unjust and disproportionate to the resources of the Colony,” as “outrageous,” and as “constituting a breach of faith with the Colony,” &c.

I think it only right, therefore, to recall the object the Settlements had in view in seeking transfer from Indian to Imperial rule, and the extent to which it has achieved that object.

16. For some years prior to its transfer the Straits Settlements bore very heavy charges, not only for military establishments, but for local naval services. These fluctuated between 1858 and 1863 from 67 per cent. to 33 per cent. of their revenue, and

it was chiefly to escape these heavy defence charges that the Colony so urgently pressed for its transfer to Imperial rule.

17. In the year prior to its actual transfer, viz., in 1866, the Colonial revenue amounted to 260,000*l.*, and its military expenditure to 70,000*l.*, or 27 per cent. of its revenue. In 1868, under Imperial rule, its military charges fell to 22 per cent. of its revenue, and remained at about that rate until 1871, when it was further reduced to about 17 per cent., the revenue at that time amounting to 298,712*l.*, and the military expenditure to 55,968*l.* The present revenue is about 670,000*l.* (taking the last completed returns, *i.e.*, for 1889, and converting at the Treasury rate of exchange for that year), and the proposed contribution of 100,000*l.* amounts, therefore, to about 15 per cent. of the revenue, or little more than one half the charge which the revenues of the Colony bore in the year preceding its transfer from Indian to Imperial rule.

18. If the Straits Settlements had not been transferred, their present defence charges, according to the Indian scale, would, it is believed, have amounted to about 236,800*l.*, or about 32 per cent. of the revenue. The Settlements have, therefore, fully achieved the main object they had in view in seeking transfer to Imperial rule, the proportion of revenue hypothecated to defence purposes being now only one-half the proportion required in the year preceding its transfer, while it is 7 per cent. less than the Colony assumed on its transfer, and about 2 per cent. less than the rate fixed in 1871, when the contribution was last reviewed.

19. To speak of such a charge as "excessive," as "outrageous," and as "constituting a breach of faith," is, therefore, not justified by the facts of the case. Taking the population as given in your despatch of 6th May last,* at 505,000, and the revenue at 670,000*l.*, the proposed contribution amounts to very nearly 4*s.* per head of population, and a trifle under 3*s.* per *£* of revenue, while in the United Kingdom the defence charges of 1888 amounted to about 16*s.* per head of population, and to 4*s.* 3½*d.* per *£* of revenue.

20. The charge to the Colony is considerably less than might justly have been made under all the circumstances of the case, and there is nothing in the foregoing figures, or the facts connected with this case, which would justify still further relief being given to the Colonial, at the expense of the British, taxpayer, whose taxation already amounts to 3*l.* 4*s.* 5*d.* per annum as against about 1*l.* 1*s.* 7*d.* in the Straits Settlements. The Straits Settlements Association is mistaken in thinking that the Singapore contribution is "a relatively much heavier charge than has been made upon any of the Crown Colonies." The contribution of Hong Kong is slightly higher, while the proportion of Indian defence charges to revenue are much more than double those borne by the Straits Settlements.

21. In view of all these facts, I am unable to admit that the proposed charge is in any way excessive, or that, in a sense adverse to the interests of the Colony, there has been any breach of the terms of the agreement made with it on its transfer to Imperial rule. It is true that the agreement has been departed from, but that departure has been made to relieve the Colony of some portion of the charges which, under the terms of its transfer, it was liable to bear.

22. At the same time I have to add that, as stated by the Chancellor of the Exchequer during the debate on this question in the House of Commons on the 13th of July, if unfortunately the revenues of the Colony should decrease, if they were less able to bear this contribution than they now are, Her Majesty's Government would be prepared to review the situation.

I have, &c.
(Signed) KNUTSFORD.

No. 11.

COLONIAL OFFICE to the STRAITS SETTLEMENTS ASSOCIATION.

[Answered by No. 13.]

SIR, Downing Street, August 5, 1891.

I AM directed by Lord Knutsford to inform you that the memorandum of the Straits Settlements Association, dated 27th April last,† together with other documents

received from the Colony, on the subject of the Military Contribution, have been carefully considered by Her Majesty's Government, and a despatch is now being addressed to the Governor fully explaining why Her Majesty's Government see no sufficient reason for departing from the decision already arrived at in this matter.

2. There is one statement contained in the memorandum referred to above, in regard to which his Lordship cannot but think that the Association are labouring under a misapprehension. I refer to the statement in paragraph 12, that at an interview which a deputation of the Association had with the Inspector-General of Fortifications in 1885, "the deputation undertook to advise the public of Singapore to contribute the whole of the outlay on the works, &c., on the clear understanding that the armament *and garrison* should be undertaken by the Imperial authorities."

3. I am to remind you that the meeting, at which this clear understanding is said to have been come to, took place in April 1885, to enable the Inspector-General of Fortifications to explain to the Association the proposed defences for Singapore, and to show them the plans which had been prepared, and I am to point out that no understanding could have been come to at that meeting that the cost of the armament for Singapore should be borne by the Imperial Government, because that understanding had been arrived at a year previously, and had been published in Parliamentary Papers C.—4186 of 1884.

4. In the record of the meeting made by the Inspector-General of Fortifications at the time and preserved at the War Office, he stated that the Association attended at his office, and that he personally informed them of the projected works of defence, but he made no reference to the question of the cost of the garrison having been discussed, nor does it seem possible that it could have been. It was a matter quite outside the scope of the duties of the Inspector-General, and had the Association raised it, he would, doubtless, have informed them that the subject was not within his province to discuss.

5. It seems evident that the Association is mistaken in thinking that any such understanding was arrived at, and it is clear that it did not itself entertain any such opinion at the time, for in your letter to this office of 24th July, 1885, you stated that—

"The defences now being carried out at Singapore will, if the Association understand the question rightly, involve an increase to the military force permanently stationed in the Colony. Urgently desirous as are the community of the Straits Settlements (on local as well as on Imperial grounds) to see the security of the Colony ensured, they will naturally be anxious that such security may be attained with as little financial burden as possible."

You then proceeded on behalf of the Association to suggest that to a considerable extent Asiatic troops should be employed in place of Europeans. It may safely be assumed that if the Association believed at that time that the Government had agreed to undertake the cost of the increased garrison, it would scarcely have considered it necessary to urge the Government to observe economy in selecting the troops required for the garrison.

6. It seems evident that the Government of the Straits never heard of any such alleged understanding, as, in the numerous protests it has made against an increased contribution, it has never made use of that argument, which it most certainly would have done had such an understanding ever existed.

7. The Association also refer to the interview with Lord Derby, on 30th April 1885, on the question of the defences, which, they say, confirmed their views on this matter. There is no record in this office of what Lord Derby stated at that interview, but Lord Knutsford is satisfied that no such undertaking could have been entered into, since there is no correspondence on record showing that the question of the cost of the garrison had at that time been raised between the Colonial Office and the other departments concerned.

8. The other arguments brought forward in the memorandum of the Association are dealt with in the despatch to the Governor, of which a copy will be communicated to you in a few weeks time when it has reached the Governor's hands.

I am, &c.
(Signed) JOHN BRAMSTON.

No. 12.

SIR C. C. SMITH to LORD KNUTSFORD.

(Received November 16, 1891.)

[Answered by No. 17.]

Government House, Singapore,

October 15, 1891.

MY LORD,

In your Lordship's despatch of the 5th August,* relative to the final decision of Her Majesty's Government as to the Military Contribution, it is stated that "if unfortunately the revenues of the Colony should decrease, if they were less able to bear this contribution than they now are, Her Majesty's Government would be prepared to review the situation." The time has come already for an appeal to be made to Her Majesty's Government with reference to that intimation.

2. In fixing the amount of the Military Contribution, Her Majesty's Government had under consideration the fact that in 1888 the revenue amounted to 3,858,108 dollars, and in 1889 to 4,409,927 dollars (670,000*l.*). It decreased in 1890 to 4,269,125 dollars, and for the current year it is now estimated at 3,897,400 dollars. For next year (1892) it is estimated at 3,629,316 dollars, showing a falling off of 780,611 dollars as compared with the revenue of the year 1889, which was last before Her Majesty's Government. This serious diminution of the revenue of the Colony is chiefly to be attributed to the falling off in the receipts under the heading of licenses (opium and spirit farms), and as the contracts have been made for the next three years there is no prospect of any important addition to the revenue being brought to credit during that period. The amount received under the head of licenses in 1889 was 3,002,400 dollars. In 1892, 1893, and 1894 the receipts will be 2,412,950 dollars.

3. I need not trouble your Lordship with any lengthy explanation as to the causes which have brought about this state of affairs. They must be well known. There are no capitalists in the Colony, except among the Chinese, and they are but few in number. Until about two years ago trade of nearly every kind was flourishing. There was over-investing all round. Financial troubles elsewhere, and general depression in the markets with which this Colony deals, brought about a crisis which few could stand against, and which brought down some of the oldest established firms in the place. I have no fear of the future, but it is, I think, a sanguine forecast to hope that in three years the Colony will have recovered its former prosperous condition.

4. The address which I have this day delivered in the Legislative Council, and of which I enclose a copy, sets out, as clearly as I can do so, the financial condition of the Colony. I also enclose a copy of the draft estimates for next year, and I would beg your Lordship to accept my assurance that I have cut down the expenditure as much as I can, even to the extent of causing serious inconvenience and embarrassment. As it is, the expenditure will exceed the revenue by nearly 200,000 dollars, but, though I have made provision, as I was bound to do, for certain fixed services, I trust that with a watchful economy the excess will not amount to that sum. I would particularly ask attention to the fact that the estimates for public works, which mainly refer to maintenance services, only amount to 586,750 dollars. There has not been such a small annual budget of public works since 1882. It has in recent years involved an expenditure of even more than 1,000,000 dollars, and, speaking generally, I have not the slightest hesitation in saying that experience has proved that the money has been well spent, and has promoted the progress and development of the Colony.

5. The realisable assets of the Colony have been exhausted, and at the close of this year it is estimated that there will be only about 358,000 dollars as a working margin for carrying on the Government. The rest of the assets are locked up in loans to the municipalities, to the Protected Native States, and in subsidiary silver and copper coin, for which at present there is no demand.

6. Such are the circumstances which entitle me, I submit, to apply to your Lordship to move Her Majesty's Government to review the situation. It would not be becoming on my part to continue the discussion about the Military Contribution, but without expressing any further opinion on the subject generally, I trust that I may be permitted to point out again that, when the present rate of contribution was fixed, it was laid down by Her Majesty's Government that the force to be detailed for service in the Colony was to consist of a certain number of men of different arms of the service, and that of these for the first year (1890) the half Fortress Company of Royal Engineers was not

provided, and that the Permanent Auxiliary Artillery have not yet been provided. In my despatch of the 24th March 1891* (paragraph 4), I drew special attention to the grounds on which an abatement was sought as regards the Royal Engineers, and as no reference is made to the subject in your Lordship's despatch of the 5th August the matter is perhaps still under consideration, and the decision in your Lordship's despatch of 27th February 1891† may not be final. If so, I venture to hope that, in considering whether any reductions on the total charge for the Military Contribution can be made, some weight may be given to the fact that the Permanent Auxiliary Artillery have not yet been supplied, although nearly two out of the four years for which the Military Contribution of 100,000*l.* has been fixed on a definite arrangement as to the strength of the garrison to be furnished, have nearly expired. The proposed establishment which was to be provided in connection with the increased rate of the Military Contribution was 1,555 of all ranks and staff, but even now it only amounts to 1,361 according to the last return dated 1st October. I only mention these details as having some bearing on the application I am making, but I trust that the reduction to be made in the Military Contribution will be of a more substantial kind than the cost of 194 men and officers represents.

I have, &c.
(Signed) CECIL C. SMITH.

Enclosure in No. 12.

ADDRESS of His Excellency Governor Sir CECIL CLEMENTI SMITH, K.C.M.G., at a Meeting of the Legislative Council, held on Thursday, the 15th October 1891.

HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL,

I HAVE the honour to lay before you the estimates of the Colony for next year.

It is many years since it has not been possible to congratulate this Council on the financial condition of the Colony, but on this occasion I must refrain from doing so, for reasons which it is my duty to state to you.

Last year, when submitting to you the estimates for 1891, the Officer Administering the Government in my absence informed you that the estimated expenditure for 1890 was then put down at 4,105,000 dollars, which would leave a surplus of revenue over expenditure of 164,000 dollars. The accounts of the Colony, however, as corrected for arrears, show a deficit of 49,413 dollars. This is mainly due to certain payments under the head of Military Contributions being treated as expenditure in arrears.

The state of the finances towards the close of 1890 was so good that I gather you had no hesitation in voting for the current year a budget amounting to 4,313,621 dollars, against an estimated revenue of 3,980,911 dollars, the excess of the proposed expenditure being defrayed from surplus balances. But even before the year began it was clear from the condition of the principal farms that the revenues of the Colony would not maintain the buoyancy they had previously exhibited, and early this year you were made acquainted with the final decision of Her Majesty's Government as regards military charges, the extent of which had never been contemplated. The financial arrangements have, in consequence, been completely upset, and although every endeavour has been made, and is being made, to reduce our expenditure, it has been found necessary, in order to meet our liabilities, to dispose of all our realisable assets—namely, the investments in gold amounting to 1,013,762 dollars, and in Indian stock amounting to 350,000 dollars.

The revenue of the current year is now estimated at 3,897,400 dollars and the expenditure at 4,745,000 dollars. At the end of this year the probable balance to the credit of the Colony will amount to 2,233,300 dollars. Of this sum, 1,535,252 dollars are dependencies consisting of unrealisable assets in the form of loans to the municipalities and to the Native States, and about 340,000 dollars are also unavailable, being represented by subsidiary silver and copper coin. Thus there will be left on the 1st January next only the very small margin of available money of about 358,000 dollars for carrying on the administration of the Government.

The estimates for 1892, which are now submitted to you, are as follows:—

Revenue	3,629,316 dollars.
Expenditure	3,820,806 „

The above estimates of revenue, as compared with the revenue actually brought to credit in the last completed year, viz., 1890, show a falling off of 639,810 dollars. Nearly the whole of this large sum is to be accounted for by the decrease of 440,000

dollars under the head of licenses, and of 138,000 dollars under the head of interest. As the farms have been relet for the usual term of three years, it may be taken that the estimated revenue for 1892 will also be about the same for the years 1893 and 1894. Before that period expires, the Secretary of State has intimated that the farming system ought to be considered with a view, if practicable, to its modification and the adoption of a system of licenses to be issued at high rates—the object being to diminish the evils of the opium traffic without seriously crippling the revenue.

The expenditure for next year has been reduced, under the adverse circumstances in which the Colony is now placed, to the lowest possible figures. It still shows that at the end of the year there will be an excess of expenditure over revenue of 191,490 dollars.

I do not now propose to discuss any question connected with the Military Contribution. The Council is already in full possession of all that has passed in regard to the claims of Her Majesty's Government, and to the strenuous endeavours made by this Government and others interested to save the Colony from a portion of the heavy charges that have placed upon it. It is only necessary for me to state here that the Colony will, by December next, have paid during this year to the Imperial Government on account of military expenditure no less a sum than 1,208,000 dollars, equal to nearly 200,000*l*. I cannot but believe that when Her Majesty's Government becomes aware of the fact that the revenue of the Colony has seriously decreased, and that, owing to the Imperial claims, the Colony cannot, even with the strictest economy, carry out public works approved by the Secretary of State, and cannot make adequate provision for improvements in sanitation and education, they will be prepared, as promised in Lord Knutsford's despatch of the 5th August (which will be laid before you), "to review the situation," and grant us some relief. There seems to me, however, no doubt that the Colony must incur the obligation of a loan. This course would not, I think, have been necessary if the reserve fund, built up by the instructions of the Secretary of State "to meet emergencies which may arise in the future owing to bad seasons, depression of trade, or other calamity," had not been otherwise exhausted in the way I have already stated. As it is, the Government is unable, in these very bad times, to carry out many services the cost of which could properly have been defrayed out of such reserves. I allude especially to such works as the Malacca Waterworks, the new Supreme Court House for Penang, the proposed Sailors' Home in Singapore, and the permanent barracks for the military, for the construction of which the Imperial Government may claim even as much as 60,000*l*. The above works can now only be undertaken by means of a loan, regarding which I refrain from discussing the details until Her Majesty's Government have decided as to any reduction on the Military Contribution, and until I have received the instructions of the Secretary of State.

I do not propose to enumerate all the objects for which money is required, and which must now be postponed owing to the condition of the finances of the Colony. Among them, however, I wish to mention especially the subject of education, the votes for which are not up to the requirements of the Colony. I had hoped to have been able to submit to you votes for an increased staff and additional schools, and a vote for a building, with suitable fittings, in which the science classes might be properly taught. This Council for two years running, on my recommendation, approved of such expenditure, but threw out the vote last year, while I was absent, on what seems to me insufficient and inaccurate information. Apart from general considerations which should govern our actions, I should like it to be borne in mind that this Colony is, in such matters, behind its neighbours in the East. A vote for a gymnasium, advocated in my address to you in 1889, must also be postponed, though the physical training of the boys in our schools greatly needs the attention of the Government. It is satisfactory to note that, as regards attendance at the boys' schools in the Colony during the past ten years, the numbers have increased in the English schools from 2,960 to 4,795, or 162 per cent., and in the Malay schools from 1,290 to 7,072, or 548 per cent.

Nor am I able to propose to you any expenditure to give effect to the more important recommendations of the Labour Commission, though they have met with the approval of the Government. It was my intention to have invited you to sanction the votes necessary to enable the Government to appoint an Agent-General for Immigration in India in order to improve the system of recruiting in that country, and to establish a Government dépôt for Chinese immigrants in this Colony as a part of a scheme for improving Chinese immigration which most requires attention. Both these important matters must remain for the present in abeyance. Indeed, unless there is a substantial reduction in the Military Contribution, and unless certain heavy items in the list of public works are carried out with borrowed money, I see no prospect, for the next two or three years, of the Colony being able to undertake any new expenditure of any

sort or kind. Happily no one can have any fear of the future progress and prosperity of the Colony, and in due time we may confidently expect the severe depression of trade under which the Colony is now labouring to pass by.

I have ordered to be laid before you the report by Sir John Coode on the proposed improvements to the Port of Penang, and I will ask you to agree to a Committee of the Council being appointed to consider it. I propose also to request a Committee of the Council to inquire into the operations of the Pawnbrokers' Ordinance.

There are several draft Bills ready for your consideration, of which I may mention a Bill to regulate Chinese Labour on Agricultural Estates, a Bill to amend the law regarding Indian Labour, and a Bill to amend the law regarding the Exportation of Arms and Munitions of War. The new Criminal Procedure Code will, I hope, shortly be placed before you, as well as a Bill to validate certain marriages in the Anglican Church, and a Bill to amend the Banishment Ordinance.

I hesitate about referring to the trade returns of the Colony, as erroneous deductions are, I find, made from them as to the prosperity of the inhabitants. Further, owing to the happy absence of Customs, the returns can only be considered as approximate, and when values are taken, the extraordinary fluctuations in exchange introduce another very uncertain element in any comparison between one year and another. It is, nevertheless, interesting to note that the grand total value of the trade (imports and exports) of the Colony, which is chiefly a passing trade, amounted last year to the estimated value of nearly 300,000,000 dollars. There was an increase in the total value of both imports and exports, as compared with 1889, but this was solely due to the trade in treasure, and not to ordinary trade. The aggregate value of the trade for the first half of this year for the whole Colony shows a falling off of about 3,500,000 dollars. In Singapore alone the continuing decrease is specially marked, as for the past nine months of the year it amounts to 8,000,000 dollars. This is probably partly to be attributed to a more strict scrutiny and carefulness in the preparation of the returns, but it must be due mainly to the great depression still existing.

With regard to shipping, on the other hand, although during last year the tonnage of vessels entering and leaving Singapore was less than in 1889, there was a considerable increase in Penang and Malacca. Exclusive of native craft and small steamers under 50 tons, the total tonnage of the whole Colony of all vessels, in and out, amounted to 9,678,189 tons. The most recent returns show that for this year again there will be an increased tonnage over the past year.

Regarding Chinese immigration, there was a considerable falling off in the number arriving in 1890 as compared with the previous year, and the figures for the first nine months of the current year show, I regret to say, a still continuing decrease. There have been 4,663 fewer arrivals in the Colony, through Singapore, than in the corresponding period of last year—*i.e.*, 92,222 against 96,885. Further, taking the number of contracts signed in the Protectorates in Singapore and in Penang there were 6,544 less than in the same period of 1890. It may be expected, however, that our labour supply may be partly recruited from among those who are thrown out of employment in Sumatra through the closing of several large tobacco estates.

The census of the Colony and of the Protected Native States has been taken this year. It is interesting to note that the total population of the Colony amounts, in round figures, to 509,700, being an increase of over 20 per cent. in the last ten years. The largest increase is in Singapore, where it amounts to over 32 per cent. The increase in Penang is 22 per cent., while there is a slight decrease in Malacca among the Chinese, but not among the Malays, who show an increase of nearly 3 per cent.

The chief increase is found, as was to be expected, among the Chinese. In Singapore it is over 40 per cent. The Penang returns have not yet been sent in.

The population of the different Protected Native States gives a total of 418,694, the details being as follows:—

Perak	-	-	-	-	-	214,254
Selangor	-	-	-	-	-	81,421
Sungei Ujong	-	-	-	-	-	23,602
Negri Sembilan	-	-	-	-	-	41,617
Pahang	-	-	-	-	-	57,800

Taking the population of the Colony and the Protected States together, the grand total is over 928,000.

Regarding the Protected Natives States, I am happy to be able to repeat again this year that, although the depressed state of trade has naturally affected them, there continues to be a fair measure of progress, and they have been free from any disturbing

influences. In Perak and in Selangor railway construction is now being pushed on as rapidly as the circumstances of those States will allow. In the former State, contracts have been given out for the whole length of the line from Telok Anson to Ipoh—a distance of 50 miles—and this much-needed work, which was delayed during my absence from the Colony last year, will be completed within three years, and will thus give to the richest portion of Perak that impetus towards full development, which is absolutely required. In the same State the line from Port Weld is being extended to Blanda Mabok, where there is an excellent mining and agricultural district. Later on the line will doubtless be carried on to Selama, and within a measurable distance of time it is easy to foresee that Perak and Penang will be joined by railway communication, which, it is hoped, will be connected with the line proposed to be constructed to the Siamese Provinces in the North of the Peninsula.

In Selangor the extension of the Klang and Kwala Lumpur line to Rawang is being energetically carried out, and should be open for traffic in February next. There will be no delay in completing the line to Kwala Kubu—a most important station, as well for those who are engaged in opening out the Ulu Selangor District as for those who are working on the Pahang side of the mountains. This further extension will be finished in May 1893.

The railway in Sungei Ujong has, as you are aware, been opened to traffic this year.

I have thus dwelt on railway enterprise in the Protected States because I am more and more convinced that their thorough development will only be effected by such means. It is, therefore, with great regret that I have to record that but little progress has been made as regards the Pahang Railway, which is, in my opinion, absolutely essential for the development of that State, if only because, until it is constructed, the necessary supply of labour will not flow into it. The members of this Council have advised against the Colonial Government being concerned in any such undertaking. The Secretary of State, on the other hand, has declined to sanction any guarantee of interest being offered to a Company which might be formed to construct and work the proposed railway, but his Lordship has suggested that certain advantages by way of land grants, &c., should be given. I shall be very glad to find that the railway is taken up on the terms offered, but if it is not, I trust that this Council will not hesitate about reconsidering the matter with a view to some other plan being adopted in order that this most important work may not be further delayed. I may take this opportunity of stating that there are distinct signs of real and solid improvement in regard to several of the mining enterprises in Pahang. So much is this the case that it may assuredly be hoped that notwithstanding the weakening of confidence in the country through the wasteful mismanagement of many undertakings and the negative results that have, in many cases, been achieved, more capital will be forthcoming to carry out to a successful issue those enterprises which, under trustworthy and capable management, clearly show that they can be worked very profitably. It will, however, be almost as great a mistake now as in the beginning to expect that the difficulties to be overcome can be very rapidly surmounted. There must be a considerable measure of patience exhibited on all sides. The Negri Sembilan as well as Pahang require time and more money. The Colony is, however, no longer able to give those States pecuniary assistance, and they must seek it elsewhere. There is no intention, nevertheless, of withholding from this Council the estimates which are now being prepared, and they will be open to honourable members as heretofore.

No. 13.

THE STRAITS SETTLEMENTS ASSOCIATION to COLONIAL OFFICE.

[Answered by No. 16.]

MY LORD,

1, Whittington Avenue, E.C.,
November 17, 1891.

I HAVE the honour to inform your Lordship that this Association has had under its consideration the letter addressed to me, at your Lordship's request, by Mr. Bramston, dated 5th August last,* in reply to the memorandum of this Association on the Military Contribution of 27th April last.†

1. The Association has learnt with great regret that Her Majesty's Government see "no sufficient reasons for departing from the decision already arrived at in this matter."

2. With reference to the statement that this Association must have been labouring under a misapprehension in asserting that, on the occasion of the interview which a deputation of their members had in 1885 with the Inspector-General of Fortifications, there was a clear understanding that the cost of the additional garrison, necessitated by the additional fortifications of Singapore, should be borne by the Imperial Government, I am instructed to say—

3. That the Association have no desire to seek to represent Her Majesty's Government as having undertaken obligations which they repudiate, and of which there is no reasonable evidence.

4. They readily admit that the letter of the Secretary of the Association to the Colonial Office, of the 24th July 1885, may fairly be taken as showing that the Association understood that the new defences would involve an increase of the military force permanently to be stationed in the Colony, and probably some increase in the financial burdens of the Colony.

5. But this letter cannot be taken apart from the whole circumstances of what may justly be described as the negotiations between the Colonial Office and the Colony on the subject of these defences. And the willingness of the Colony to increase its Military Contribution to one-half of the total cost of the garrison, is a sufficient proof of its desire to meet in no niggard spirit any obligation it has assumed.

6. The Imperial Government had decided on the policy of fortifying its foreign coal-ing stations, and had invited the Colonies interested to assist her in this necessary work.

It was doubtful how far the Colonies would respond to this appeal, and the Association believe it is admitted that the Straits Settlements replied more promptly and effectually than any other Crown Colony.

7. The whole discussion turned on the amounts to be contributed to the proposed defences, which, at Singapore, was, roughly speaking, estimated at 75,000/.

8. Mr. Bramston states (paragraph 3) that no understanding could have been come to at the meeting of the deputation with the Inspector-General of Fortifications, "because that understanding had been arrived at a year previously, and had been published in Parliamentary Papers, C. 4186, of 1884." But I am to point out that this "understanding" was simply an agreement between the departments of Government and not with the Colony.

9. Your Lordship states that the Inspector-General of Fortifications, in his record of the meeting with the Association, mentions that he personally informed them of the projected works of defence, but that he made no reference to the question of the cost of the garrison, "which would have been quite outside the scope of his duties."

10. The Association certainly do not understand that their interview with the Inspector-General was limited to an explanation by him of the nature of defences, of the value of which they could not possibly judge, but that it embraced the general scope of the proposals as bearing on the finances of the Colony.

11. It is to be regretted that there is no record of the interview with Lord Derby on the 30th April 1885, but it is, the Association believe, beyond question that his Lordship, when expressing satisfaction with the public spirit of the Colony in its willingness to vote the cost of the fortifications, gave no indication that any further claim was contemplated on the Colonial Treasury.

12. It is scarcely credible that the Colonial Office should have been unaware of the fact that in the interviews of the Association with the department, in the Legislative Council, and in the public utterances of the various Governors, the sole points of interest and discussion throughout were the cost of the fortifications and the housing of the troops.

13. The Association is not willing to believe that the Colonial Office would allow the Colony to remain in ignorance of the fact that its readiness to meet the Imperial Government in the matter of the forts would be treated as rendering the Colony liable, not only for the cost of constructing the forts, but also for a further annual charge of the most onerous character.

14. It may therefore be safely be assumed that the Imperial Government at this time had no intention of making the claim now preferred, and, as bearing on this point, it may be stated that the Colony refused to be at the cost of maintaining the forts, a matter unworthy of discussion if the Colony was to be liable for the annual cost of the increased garrison.

15. The Association therefore respectfully submits that its main contention that the claim of the Imperial Government to impose upon the Colony an additional charge of about 50,000/ per annum as Military Contribution, and its further claim to call upon the Colony to defray the full cost of whatever additions to the defences and garrison the Imperial Government may see fit to authorise, is as unexpected as it is arbitrary,

and against these claims, as representing the Colony, they respectfully but strongly protest.

16. They are not unaware of the peculiar relations which subsist between a Crown Colony and the Imperial Government. They do not claim for the Legislative Council the full powers of a representative Government, but they still hold that the revenue of the Colony should not be appropriated against the protests of its representatives.

17. As your Lordship is aware, the Colony is not in a position to accept any increased financial burden. The revenue, once so elastic, shows a large deficit in the present year, and a prospective deficit for next year. Important and much needed public works are stopped, and the development of the Native States, for which so much has been done, and of which so much has been expected, is seriously menaced.

I have, &c.

(Signed) W. W. SCOTT, Hon. Secretary,
Straits Settlements Association.

No. 14.

SIR C. C. SMITH to LORD KNUTSFORD.
(Received November 30, 1891.)

[Answered by No. 17.]

MY LORD,

Government House, Singapore,
November 4, 1891.

I HAVE the honour to forward to your Lordship a letter, in original, which I have received from the President of the Singapore Branch of the Straits Association, enclosing two resolutions passed at a public meeting held in the Town Hall, Singapore, on the 29th ultimo, on the subject of the Military Contribution, together with copies of the full report* of the meeting as contained in the *Straits Times* and *Singapore Free Press*.¹

I have, &c.

(Signed) CECIL C. SMITH.

Enclosure 1 in No. 14.

PRESIDENT of the SINGAPORE BRANCH, STRAITS ASSOCIATION, to Sir CECIL CLEMENTI SMITH, K.C.M.G., Governor of the Straits Settlements.

SIR,

Singapore, October 31, 1891.

I HAVE the honour to inform you that a public meeting of the residents of the Straits Settlements was held in the Town Hall, Singapore, on Thursday last, the 29th instant.

The meeting was largely attended by all classes of residents, and the enclosed resolutions were carried unanimously.

An additional resolution was also carried, asking that the other two should be sent to you, with a request that you would transmit them to the Right Hon. Lord Knutsford, Her Majesty's Principal Secretary of State for the Colonies.

As Chairman of the meeting referred to, I now beg to hand you a copy of these resolutions, with a newspaper containing a full report* of the arguments advanced in support of them, and trust you will feel yourself at liberty to carry out the wishes of the meeting.

I have, &c.

(Signed) A. L. DONALDSON,
President of the Singapore Branch,
Straits Association.

1. That this meeting of residents in the Straits Settlements views with alarm the great decline that has taken place in the revenue of the Colony, simultaneously with the increased payments required by the Imperial Government for military purposes, and the consequent curtailment of the expenditure necessary for the advancement of the interests of the Colony, and is of opinion that any departure from the policy of liberal and judicious expenditure for such purposes will seriously effect the prosperity of the Colony.

2. That in view of the present financial position of the Colony this meeting respectfully asks Her Majesty's Government to review the situation, as promised by the Right Honourable the Chancellor of the Exchequer in the House of Commons, and confirmed by the Right Honourable the Secretary of State for the Colonies, in his despatch dated 5th August 1891, with the object of making a substantial reduction in the Military Contribution, so that the Colony shall not continue to be crippled for want of funds.

No. 15.

SIR C. C. SMITH to LORD KNUTSFORD.
(Received December 15, 1891.)

MY LORD,

Government House, Singapore,
November 14, 1891.

IN continuation of previous correspondence on the subject of the increased Military Contribution, I have the honour to forward to your Lordship an extract from the proceedings of the Legislative Council when the Vote was taken for the Military Charges in the Supply Bill for next year.

2. The unofficial members of the Council moved the reduction of the Vote to 360,000 dollars (60,000*l.*). This amendment was thrown out by the official majority. The Vote, therefore, stands at 631,579 dollars, which is equivalent to 100,000*l.* at 3*s.* 2*d.* per dollar.

I have, &c.

(Signed) CECIL C. SMITH.

Enclosure 1 in No. 15.

PROCEEDINGS of the LEGISLATIVE COUNCIL, 30th October, 1891.

SUPPLY BILL, 1892.

The Council went into Committee on this Bill, when the votes were taken *seriatim*, and amended in accordance with the Report of the Select Committee.

On the vote of 639,579 dollars for Military Expenditure, Mr. Burkinshaw objected.

The GOVERNOR asked what course it was proposed to take.

The unofficial members having consulted.

Mr. VERMONT proposed the reduction of the Vote to 360,000 dollars.

Mr. MURRAY seconded the amendment.

The ATTORNEY-GENERAL :—Sir, the motion has been made to reduce the Vote proposed by your Excellency, but no reasons have been given for the reduction, and it might be said that no answer is required. But we all have in our minds what has been said on previous occasions, and I must say I do congratulate the unofficial members of this Council on having recovered their senses. In March they came in like lions, in October they go out like lambs. In March we had very strong language used in regard to the conduct of Her Majesty's Ministers—language stronger than I have ever heard used, and which a few centuries ago might have had very unpleasant results to the persons using it. We were actually told by one hon. member that his loyalty was such a tender plant that it might in certain circumstances wither and die. But, as I said before, I congratulate this Council on having come to a sober state of mind. This contribution has been fixed by Her Majesty's Ministers—not only by the Secretary of State for the Colonies, but, as I understand, by the Cabinet—by the Treasury, the Secretary of State for War, and the Secretary of State for the Colonies, and these are persons of consideration, and they have deliberately, after considering all the circumstances of this Colony, asserted that this sum, which his Excellency asks you now to vote, is a proper sum to be voted by this Council. Now, I do not think that it is respectful, either to your Excellency or to the distinguished Ministers who have arrived at that sum, to propose a motion in this Council for its reduction without advancing any reason whatever. No doubt hon. members remember what they said before, and may be perhaps a little bit ashamed of it, and it is possible that they think that the best way of retiring from a difficult position is to say nothing at all about it. Now it seems to me that this Vote may be regarded as an insurance on this Colony, and the question is whether the insurance is too great for the interests involved. Are we paying too much to safeguard all the interests of this Colony? It will require very strong reasons

to satisfy me, after I see that this Vote has been directed by Her Majesty's Ministers, and has been recommended to this Council by your Excellency—to satisfy me that it is an improper Vote. It may be said, of course, that the circumstances of the Colony are different from what they were when the sum was originally fixed. Well I am not at all satisfied that this is the case. I was, I must say, shocked to hear my hon. friend opposite (Mr. Vermont), whose opinion I so much respect, state yesterday [The GOVERNOR :—My hon. friend must confine his remarks to what takes place at this table.]—in the course of a debate on the second reading of this Bill, that this Colony is in a position verging on bankruptcy. This Colony is not on the verge of bankruptcy. I do not believe that this Colony is in a worse position than it was a year ago. I have every confidence in the future of this Colony. We may now be passing through a period of temporary depression, but I am convinced—and I appeal to my hon. friend on my left (Mr. Murray), who, I am sure, will agree with me, that the position of this Colony is essentially sound—that we are in a thoroughly sound financial position. It may be that our income is temporarily diminished, but our position is sound, and I should be extremely sorry that it should appear that there is any doubt in our minds as to this. I think it would be most detrimental to the interests of this Colony if it should go forth to the world that my hon. friends consider the financial position unsound. I will not go into the details of the Vote, because no reason have been adduced, but I do hope this Council will not place on record anything which will throw doubt upon the financial position of this colony. I think it is most important that we should, although we are passing through a little temporary depression, put on a bold front before the world, and not go about telling everybody that we are in a semi-bankrupt position, but that we should, as we have done, like honest men who are prepared to pay our way, reduce our expenditure, hoping that in the future we shall recover our position. As I said before, I am convinced that there is a glorious future before this Colony, and I hope that nothing will be said that is inconsistent with that view.

The OFFICER COMMANDING THE TROOPS :—Sir, one of the most difficult parts of a Councillor's position is to stand up feeling he is not only in a minority, but in a very great minority. That is my case to-day in opposing the reduction of this Vote, but I oppose it for this simple reason, which I will try to state in a few words—that it will be a very bad thing for this Colony, finding we have expended a very large sum of money—you are prepared to vote—to feel that security will not be properly obtained. The only military member at this table might be supposed to view it from a soldier's point of sight, and as I review the arguments used in the public press and in the heat of debate, I cannot but think some of them are unreasonable. I have full sympathy with you, Sir, and my brother Councillors at very important works being suspended or put a stop to owing to the claims of the Military Contribution from home which have been imposed upon this Colony, but I think you have before you what you have for a long time tried to obtain, a vast insurance office, which has been the means of placing this Colony in a remarkably fine position so far as its security goes. You have asked to be well protected—that has been your determination for a long time past. You have asked for an insurance office which is to protect your trade, your stores, and your homes from molestation. In a day of anticipated trouble you asked for protection. Well, so far as the forts and guns go, you have your wish, and now you are asked to pay for the upkeep of them. I do not suppose that any gentleman here, in ordering a pair of boots, would tell the cobbler how much leather to put into them, and if you cannot deal thus with a simple job of that kind, how much less in a matter of military organisation ! where the lives of yourselves, the safety of your families and your friends, may largely depend upon your military advisers. Having asked for protection, it was necessary that you should leave it those best able to judge how that could be best obtained. With forts and guns, you require men to man them. War is a progressive science, and progresses in expenditure as well as power of weapons ; we find that every day. Well, gentlemen, had you wisely spent your money on local improvements instead of glorying in the vanity of having a big surplus, the Home Government would have had to pay the military expenses, as you would have been unable to do so. Somewhat, therefore, you have yourselves to thank for the large bill sent in. You have, amongst other things, been able to increase the salary of your servants, and I think rightly—most rightly. It can scarcely be deemed unreasonable, then, that the home authorities should wish to draw upon you somewhat more largely than they used to do. When we come to the question of money for local defence, it is not, in my mind, sufficient to say Imperial *versus* Colonial money should pay for it, but we must look at the source from whence it comes ; that is from the rich Chinese trader in this, to him, a land of milk and honey, largely, as well as in a smaller degree from the European merchant and others sitting in this Council Chamber, or from the working man at home, many of whom it is well known, do not

know, or scarcely know, where Singapore is. I think some of my brother Councillors will remember the election cry some years ago when spending money in Singapore was mooted. The election cry ran thus—

“Don’t deprive a poor man of his beer or his bacca,
Cause he don’t care a damn for the Straits of Malacca.”

Much is said of the Local Government dealing with its own revenues, but does it never occur to you that you go far beyond that, in that you wish to use the revenues of our tight little island, and use them for local purposes to save your own? (Expressions of dissent.) There is one point in which the Colony is not fairly treated, and that is when the bill is paid she does not get what she pays for—security; and that is my reason for rising to suggest that instead of reducing the Vote, you should ask for your money’s worth for your money. I should like to point out that fighting for the shadow, as to what you ought to pay and ought not to pay, you lose the substance, in not having what you should have—security. You have capital forts, and I hope I have been fortunate enough to show you that you have excellent guns, capable in the hands of really good men of doing all you can desire; but you must have more men to work them. Your Artillery must be doubled, or a large increase made to your Volunteer Artillery Force, the cost of which, I think, should be a charge against Imperial revenues. The Native Artillery Force, which has not yet arrived, should be insisted upon, and should be supplied in at least double the numbers promised. I think you can then be satisfied that, under such excellent insurance, the value of your property will rise, your trade will increase, and, as my honourable and learned friend said, Singapore will be freed from all fear of bankruptcy. Do not be afraid that the military here will interfere with your land or your trade. They will try their utmost to improve the value of both. Remember, that while all others are volunteers in this land, the soldier comes only to do his duty, or to try to do it, and that his only recompense or reward will be to feel that he is doing his duty to this outlying dependency of that great Empire that all of us are proud to belong to. Let the future of this Military Contribution question be approached temperately, and with that high reasoning power and intelligence that so many distinguished members of this assembly are capable of affording to it; and let us all remember that we are mostly temporary sojourners in this land, and that amongst our highest hopes is to return to that land we left, which we hope to see in peace and prosperity and not suffering over-much by the drains made on it for the support of its outlying provinces.

On the amendment being put to the Council, members voted—

<i>Ayes.</i>	<i>Noes.</i>
Mr. Comrie.	The Colonial Engineer.
„ Tan Jiak Kim.	„ Acting Colonial Treasurer.
„ Murray.	„ Attorney-General.
„ Burkinshaw.	„ Acting Colonial Secretary.
„ Vermont.	„ Officer Commanding the Troops.
	„ Governor.

The amendment was lost.

The Bill passed through the Committee, the total being reduced to 3,816,589 dollars, and was reported, as amended.

No. 16.

COLONIAL OFFICE to the STRAITS SETTLEMENTS ASSOCIATION.

[Answered by No. 18.]

SIR,

Downing Street, January 2, 1892.

I am directed by Lord Knutsford to acknowledge the receipt of your letter of the 17th November,* relative to the Straits Settlements Military Contribution.

2. His Lordship notes that in paragraph 4 of your letter it is admitted that the Straits Settlements Association, in the year 1885, anticipated that there would be an increase in the garrison at Singapore, and a consequent increase in the Colonial Military Contribution. The view taken in paragraphs 14 and 15 of your letter, that the proposal to increase the contribution was an afterthought on the part of Her Majesty's Government, and was entirely unexpected, appears to his Lordship to be hardly consistent with the above-mentioned admission.

3. I am to add that further despatches have been received from the Governor on this question of making some reduction in the contribution, and the Governor has been informed that, as at present advised, Lord Knutsford hardly thinks that there are sufficient grounds for asking the Imperial Government to relieve the Colony in this respect, but at the same time that his Lordship will be prepared to consider any further report which Sir C. Smith may desire to furnish on the subject.

I am, &c.
(Signed) R. H. MEADE.

No. 17.

LORD KNUTSFORD to SIR C. C. SMITH.

[*Answered by No. 21.*]

SIR,

Downing Street, January 13, 1892.

I HAVE the honour to acknowledge the receipt of your despatch of 15th October last,* requesting that Her Majesty's Government should consider the claims of the Colony to some reduction in the Military Contribution in view of the diminution that has occurred in the revenue of the Colony.

2. I observe that you compare the estimated revenue for 1892 with the revenue in 1889, but I would remind you that when the original decision as to the amount of the contribution was taken by Her Majesty's Government, they had before them only the revenue of 1888, and not that of 1889 (*see* paragraph 24 of my despatch of 13th December 1889†). The difference between the revenue of 1888 and the estimated revenue for next year is not very considerable. The estimated receipts for opium and other licences (excluding the pawnbrokers' licences, which have been abolished since 1888) are actually higher than in 1888, and the only material decrease appears to be under interest, due, of course, to the partial absorption of the surplus balances.

3. As at present advised, therefore, I hardly think that there are sufficient grounds for asking the Imperial Government to relieve the Colony of a portion of the Military Contribution, but I shall be prepared to consider any further report which you may desire to lay before me.

4. With reference to the sixth paragraph of your despatch, I have to inform you that my despatch‡ of the 27th February last was intended to be a final decision on the question of allowing an abatement in respect of the non-arrival of the Engineers in the early part of 1890, and I made no further allusion to this question in my despatch§ of 5th August last, because there appeared to be nothing to add to my despatch of 27th February‡ on the subject.

5. Her Majesty's Government adhere to the view expressed in paragraph 11 of my despatch of 10th January 1891,|| that the claim for a rebate from the contribution of 100,000*l.* on account of deficient numbers, would be valid if the Colony paid the full cost of the troops forming its garrison, but that, as the deficiency in numbers is never likely to bring down the cost of the garrison below the numbers paid for by the Colony, no valid claim for a rebate on this account arises at present.

6. As regards the Native Artillery, considerable difficulty having been experienced in obtaining the men required for that force, it has been found necessary to invoke the assistance of the Government of India, and this has occasioned delay in completing the

* No. 12.

† No. 1 in [C. 6290.] March 1891.

‡ No. 4.

§ No. 10.

|| No. 6 in [C. 6290.], March 1891.

numbers. Every effort is now being made to raise necessary recruits in India, and it is confidently expected that the numbers of the local artillery will shortly be up to the full strength on which the estimate of cost was originally based.

7. I have further to inform you, with reference to the garrison generally, that at the time of the year when your despatch was written, viz., in October, the number of troops may be expected to be below establishment, as the usual drafts proceeding to the Colony each trooping season have not then been sent out. A draft of over 200 men is about to proceed to the Colony at the present time, and although the draft must necessarily arrive after the casualties of the year have reduced the numbers with the colours at Singapore, I would observe that the draft has been preparing in this country throughout the year, at considerable cost to Imperial revenues.

8. I have also received your despatch* of the 4th November, and have to request you to inform the President of the Singapore Branch of the Straits Settlements Association that the questions raised in the resolutions of the public meeting referred to in his letter of 31st October last will receive full consideration at the hands of Her Majesty's Government.

I have, &c.
(Signed) KNUTSFORD.

No. 18.

THE STRAITS SETTLEMENTS ASSOCIATION to COLONIAL OFFICE.

[Answered by No. 19.]

1, Whittington Avenue, E.C.,
March 9, 1892.

MY LORD,

I HAVE the honour to acknowledge the receipt of two letters addressed to the late Honorary Secretary by your Lordship's request, of dates 23rd October, 1891† and 2nd January 1892,‡ which have been under the consideration of this association.

That of 23rd October enclosed, for the information of this association, a copy of a despatch addressed by your Lordship to Sir Cecil C. Smith, Governor of the Straits Settlements, regarding the Military Contribution now required from the Colony.

The association is pleased to learn, by the last paragraph in the letter of the 2nd January now under reply, that your Lordship will be prepared to consider any further representations which Sir Cecil C. Smith may furnish in favour of relieving the Colony of a part of the burden that has been laid upon it.

It is not necessary to detain your Lordship with any attempt to explain the apparent inconsistency, pointed out in the letter of 2nd January, between paragraphs 4, 14, and 15 of this association's letter of the 17th November,§ seeing that this seeming inconsistency does not bear directly on the matter at issue between the Imperial Government and the Colony.

The association prefer again to press on your Lordship's attention most earnestly, but with all respect, what seem to them some essential considerations in connection with the question of the Military Contribution, considerations which they cannot believe have been fully weighed by your Lordship, seeing how slightly, if at all, they have been touched upon in your Lordship's side of this correspondence. They are as follows:—

1. The important changes which have taken place in the position of the Settlements, and especially of the port of Singapore, in regard to the matter of the military expenditure, since they were taken over by the Crown in 1867.

(a.) By the opening of the Suez Canal in 1869 Singapore became a port of call for a vast trade carried in passing steamers, in which the Colony itself has no interest, and from which it derives no benefit, except in respect of any coals or stores that may be taken by the steamers as they pass.

And a certain amount of the trade, which formerly was carried on in Singapore as an emporium, is now transacted direct between eastern ports in China, Cochin China, Siam, Phillipines, Java, and other eastern islands and Europe, and merely passes through Singapore, without contributing in any way to its trade or revenues.

* No. 14.

† Not printed.

‡ No. 16.

§ No. 13.

This passing trade, so far as it is bound for British ports, belonging to British subjects, or is carried in British steamers, is a matter that concerns the Imperial Government alone. The Colony can certainly have no responsibility in regard to its protection, either in time of peace or in time of war.

- (b.) The extension of British protection to the Native States in the Malay Peninsula has thrown on the Colony responsibility never contemplated at the time of the transfer of the Settlements to the Colonial Office.

In this matter the Government of the Colony has to act as the representative of the Imperial Government, and the residents of the Native States look to the Government of the Straits Settlements for counsel and assistance.

When money has been required to aid each State in the early stages of its development, the needful funds have been supplied, not by the Imperial Government, but by loans from the Colony, and now that the resources of the Colony are crippled by the exactions of Her Majesty's Government, the effect is seen immediately in a sharp check to the prosperity of the States which ought to be enjoying the full benefit of British protection.

- (c.) By the extension of French possessions in Cochin China and Tonquin, and those of Russia in the North Pacific, and by the growth of the German Navy, Singapore has become a point of much greater importance, strategically, for the Imperial Government than it was before it came under the Crown, and this entirely apart from all considerations connected with the Colony itself.

There are now more extensive interests of an Imperial character to protect, increased means of offence and defence are required for their protection, and Singapore has become of vastly greater importance as a place of resort for Her Majesty's Navy than it was in 1867.

2. While the foregoing considerations make the citation of what was agreed to in 1867 far from conclusive as to the liabilities of the Colony at the present time, the arrangement that the Colony should be bound to provide for the cost of its own defence has not so far been called in question.

On the contrary, the Colony has all along been willing also to contribute towards the cost of defences even of an Imperial character, was the first to volunteer such contribution, and has offered, through the unofficial members of the Legislative Council, to pay half of the sum now demanded.

3. It is contended that the demands of the Imperial Government in this respect should bear such relations to the resources and necessities of the Colony that they will be recognized as reasonable by the public opinion of the Colony as expressed in the Legislative Council (and otherwise), and by the officials, who are all the servants of the Colonial Office.

There is a strong presumption against the fairness of a claim which is protested against by public meeting, by nearly all the official members of the Council, by every unofficial member, and by the Governor himself.

4. It is recognised that some control of the disposal of the finances of a Crown Colony must be vested in the Colonial Office, or Secretary of State for the Colonies, as representing Her Majesty's Government, but this does not imply that Her Majesty's Government shall be free to appropriate, for the relief of its own taxpayers, the funds of the Colony, in spite of its earnest protest.

It is not an approved form of finance for a trustee to appropriate to his own benefit the property of his ward. In fact, the sum paid by the Colony towards Imperial purposes must be given with the consent of the Colony and its Government, if it is to be regarded as a contribution from a loyal Colony, and not to have rather the character of a requisition levied in an enemy's country.

5. No such peremptory order to pay, without consent, and to place its funds at the disposal of the British Treasury and War Office, would have been addressed by Her Majesty's Government to one of the larger Colonies, endowed with representative institutions, or, if made, would have been complied with, and this association considers that the comparative weakness of the Colony they represent will not be regarded as a justification for laying violent hands on its revenues.

6. The claim made by the Imperial Government from the Colony has not even the advantage of being for a definite and limited sum. The resources of the Colony are apparently to be held liable to pay such sums as may be thought necessary by the British Treasury and the War Office, whose functions in this relation are primarily to find money, and to spend it.

Your Lordship, as guardian of the interest of the Colony, cannot fail to see that a large but indefinite charge on the revenues of the Colony, over the extent of which the Government of the Colony is to have no effective control, must be fatal to careful and steady finance.

The Colony will certainly not be content to be straitened in its resources as it is at present by an action of the Imperial Government of which it does not recognize the justice, and against which it has protested in every form at its command.

I have, &c.

(Signed) WM. PATTERSON,
Chairman of the Straits Settlements Association.

No. 19.

COLONIAL OFFICE to the STRAITS SETTLEMENTS ASSOCIATION.

SIR, Downing Street, March 19, 1892.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 9th instant,* relative to the Straits Settlements Military Contribution.

His Lordship cannot admit that the arguments adduced in your letter have not already been fully weighed by him, and dealt with in the despatches on this subject laid before Parliament (C. 6290), and in his Lordship's speech in the House of Lords on 24th July last, and in the further despatch † to Sir C. Smith, of 5th August last, copy of which was communicated to you in the letter from this Department of 23rd October last.

I am to add that his Lordship is not to be supposed to assent to the views put forward in the paragraph marked 1 (b) in your letter, in regard to the protected States of the Malay Peninsula.

I am, &c.

(Signed) JOHN BRAMSTON.

No. 20.

LORD KNUTSFORD to SIR C. C. SMITH.

SIR, Downing Street, March 24, 1892.

In reply to your telegram of the 21st instant,* I had the honour to inform you by telegraph, on the 23rd instant, ‡ that the Military Contribution for the quarter ending 31st instant, might be paid in the Colony at the Treasury rate of exchange, provided the same method of payment was adopted for the three remaining quarters of this year.

It has been agreed in the case of Ceylon and Hong Kong that the Colonial Government should choose, at the beginning of each calendar year, whether to pay the contribution throughout that year in the Colony at the Treasury rate of exchange, or in this country in sterling, and I think that the Straits Settlements Government should follow the same practice, and not pay part of the contribution in one way and part in another.

I request therefore that you will, in future, inform me, at the beginning of each year, whether or not it is proposed to make any change in the method of payment. In the absence of information to the contrary it will be assumed that no change will be made.

The Crown Agents have been informed that the Military Contribution for the current quarter, and until further notice, will be paid in the Colony.

I have, &c.

(Signed) KNUTSFORD.

* No 18.

† No. 10.

‡ Not printed.

No. 21.

SIR C. C. SMITH to LORD KNUTSFORD.

(Received April 9, 1892.)

*[Answered by No. 23.]*Government House, Singapore,
March 2, 1892.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 13th January,* informing me that, in your Lordship's opinion, there are hardly sufficient grounds for asking the Imperial Government to relieve the Colony of a portion of its Military Contribution, but adding that your Lordship will be prepared to consider any further report that I may desire to lay before you.

2. I beg to offer, very respectfully, my thanks to your Lordship for the latter intimation, while I venture to express my deep regret at the decision at which your Lordship had arrived after considering my despatch of the 15th October,† to which your Lordship's despatch now under reference is the reply. I feel very keenly the grave responsibility under which I lie, because, while I am allowed to make a further appeal on behalf of the Colony, I cannot bring myself to the condition of believing that what has already been urged can be more fully stated, or that if what has been submitted is not sufficient to justify your Lordship's support in obtaining a reduction in regard to the onerous claims of Her Majesty's Government, anything that I can write will be more successful. Nevertheless, I will not spare myself from the difficult duty devolving upon me, being confident of one thing, namely, that the Colony has strong claims for consideration, which have not, in my humble opinion, received the treatment which they merit.

3. It is quite true, as your Lordship points out, that when the original decision of Her Majesty's Government was taken, they had before them only the revenue of 1888, and not that of 1889. It was mainly on that ground that, in my despatch of the 15th October,‡ I quoted the figures for the former year. But I added the figures of 1889 and for the subsequent years, because in paragraph 3 of your Lordship's despatch of the 5th August 1891 § it was stated that the "announcement was not intended to lessen, nor indeed could it lessen, the opportunities of arguing against that decision," and also because of the following passages (paragraph 22) of the same despatch :—

"22. At the same time, I have to add that, as stated by the Chancellor of the Exchequer during the debate on this question in the House of Commons on the 13th of July, if unfortunately the revenues of the Colony should decrease, if they were less able to bear this contribution than they now are, Her Majesty's Government would be prepared to review the situation."

4. What is to be understood by the latter statement? The revenues of the Colony have unfortunately decreased, and to show this I quoted the additional figures which your Lordship now sets on one side as being out of consideration, and, further, I do not think that it can be denied that this Colony is less able to bear the increased contribution than it was when the original decision was given. Even on the comparison of the revenue of the current year with that for 1888 the reduction of over 220,000 dollars is a matter of very serious importance, seeing that the expenditure has, with your Lordship's sanction, increased in this hitherto progressive Colony from 3,559,864 dollars in 1888 to 4,745,000 dollars in 1891, that is, by 1,185,136 dollars. But the Chancellor of the Exchequer made no reference to the financial condition of the Colony in 1888. Speaking in the year 1891 he said: "If they (*i.e.*, the revenues) of the Colony are less able to bear this contribution than they now are." Hence, having shown that, as compared with 1891, there was a decrease of the revenue estimated for 1892 of 780,000 dollars, that is, of more than 100,000 $\%$, the conditions for obtaining a review of the situation were met. If then there was any meaning in the statement which was made by the Chancellor of the Exchequer on behalf of Her Majesty's Government, and if there was any intention on the part of Her Majesty's Government to keep an open mind for the consideration of the views of this Government, which it was permitted (as was subsequently stated) and expected to express so soon as it was informed of what Her Majesty's Government had laid down as regards the Military Contribution for 1890–93—

* No. 17.

† No. 12.

‡ No. 10.

unless indeed the matter was definitely closed by your Lordship's despatch of the 13th December 1889 *—I feel bound to submit again to your Lordship that Her Majesty's Government ought to be asked to reduce the military charges now placed upon the Straits Settlements.

5. The appeal which I made to your Lordship in my despatch of the 15th October † was based entirely on what I understood to be the promise of Her Majesty's Government, as stated in the House of Commons by the Chancellor of the Exchequer, which has been quoted above. In addition to the falling off of revenues there is further the fact that the whole (and not a part) of the surplus balances, which have been saved for entirely other purposes, have been absorbed for the payment of the military claims. I have not been instructed as yet as to how the perversion of these surplus balances from the object with which they were invested under the Secretary of State's instructions to the Government of this Colony, namely, "to meet emergencies which " may arise in the future owing to bad seasons, depression of trade, and other calamity," can be justified. It will be, I fear, of little use hereafter to insist upon the Legislature exercising economy in order to provide against bad times, when, in the result, the money saved is, without the concurrence of that Legislature, devoted to Imperial purposes. This seems to me a specially important point, which is well worthy the serious consideration of Her Majesty's Government.

6. Regarding the decision of Her Majesty's Government to make no abatement in the amount of the Military Contribution to be annually paid by the Colony, although the garrison has not been maintained at its full authorised strength, I cannot, I think, put the case of the Colony stronger than I have done. The original statement by your Lordship on this subject was: "If these payments are made, Her Majesty's " Government will provide the above-mentioned garrison and maintain it as nearly as " possible at the full strength, allowing for variations of relief and similar matters." These payments have been made by the Colony, but the garrison has not been provided. The undertaking of Her Majesty's Government has clearly not been carried out. To it was not attached any such understanding as that now brought forward, viz., that as the Colony does not pay the full cost of the troops forming its garrison there is no valid claim for rebate. This is something new and not a part of the original decision of Her Majesty's Government, and is neither in accordance with what was considered fair and proper by the Imperial Treasury in the discussions as to the Military Contribution to be levied in 1866, nor with what was, at any rate up to quite recently, the practice in Ceylon, where a rebate was regularly allowed for every man under the authorised strength of the garrison. It is not easy to make out why this Colony should be dealt with differently in this respect to other Colonies, or on different principles. Her Majesty's Government said, in specific terms, that if so much was paid so many troops would be provided. It was in the nature of a compact of a very distinct character, which if not carried out by Her Majesty's Government so far as its share was concerned, it cannot be considered unreasonable to ask may be modified in accordance with recognised practice. The argument, which is suggested in your Lordship's despatch of the 27th February, ‡ that Her Majesty's Government were incurring expenditure in England in regard to the half Fortress Company of Royal Engineers, and that such expenditure had to be borne by the Colony, is not, I submit, a valid one in view of the fact that this body of men is not raised specially for local service, but is part of the Imperial Army, and will, after one, two, or three years, be relieved, and sent to another portion of the Empire. Then as to the Native Artillery—of whom 53 arrived in January last, bringing the total effective strength to 67, as against the authorised strength of 120—the question of there having been difficulties in raising the corps is one which cannot properly affect the definite compact which was made by Her Majesty's Government when they promised to supply certain troops if certain sums of money were paid. Not to supply those troops and yet to charge for them, basing such action on grounds which are not in any shape or form brought forward until after Her Majesty's Government has failed to carry out the promise specifically made, is a line of policy which is worthy of very serious consideration before it is finally adopted. Moreover this same question of the actual cost of the garrison is one which still requires explanation. The increased Military Contribution has been levied for two years, namely, 1890 and 1891, and if there is any calculation to be based on the actual cost of the troops, an accurate account should be rendered to the Government of this Colony of such cost. Up to the present

* No. 1 in C. 6290, March 1891.

† No. 12.

‡ No. 4.

time no such account has been rendered, and all that the Government has before it is the estimate (Appendix B) attached to your Lordship's despatch of the 13th December 1889.* That estimate requires explanation if the Government of the Colony is to be placed in possession of details. For example, there is no allowance for any savings; pensions are charged for in respect of men not even yet enlisted; sea transport is charged for on a calculation for 1,400 officers and men, and regimental pay and allowances are given for a force which, after two years, has not yet been provided in its entirety.

7. In paragraph 7 of your Lordship's despatch of 13th January 1892† it was intimated that I had left out of consideration, in regard to the strength of the garrison generally, that at the time (October) when my despatch was written, the garrison might be expected to be below establishment, as the usual drafts had not been sent out. Reference to the following figures will, I believe, show to your Lordship that no mistake or oversight was made by me. The General Abstract in the Monthly Returns for 1891 give the total strength of all officers, non-commissioned officers, and men thus, for last year :—

	General Total, Officers and Men (including Staff).
January	1,366
February	1,709
March	1,382
April	1,378
May	1,371
June	1,373
July	1,368
August	1,370
September	1,365
October	1,361
November	1,362
December	1,360

The total for February was swelled by the draft received (341). In the following month 317 men were sent home. It may be useful to recall to mind, in connexion with the above figures, that the authorised strength with reference to which the increased contribution is levied is 1,519 of all ranks to be present in the Colony.

8. And I would point out here that, although the draft without doubt (as observed by your Lordship in the same paragraph now under reply) was prepared in England at a considerable cost, yet such cost cannot, in common fairness, be placed against the Colony, where, as I have already mentioned with reference to the Royal Engineers, the men are only going to serve a very limited portion of their time in the Colony. Further, the amount of the Military Contribution was partly made up of expenses at the dépôt, *i.e.*, in preparing the draft.

9. The estimates of the cost of the garrison, as furnished in your Lordship's despatch of the 13th December 1889,* require explanation on other grounds. In the "Statements showing the amounts included in the Army Estimates 1890-91 for military purposes in the Colonies and Egypt, and the probable repayments by the several Colonies on the same account," which were laid before Parliament in February, 1890, the estimated regimental force in the Straits Settlements is given at 1,509, and the amounts included in the Army Estimates are as follows :—

Total, 1889-90.	Total, 1890-91.
£	£
86,480	91,624

Certain departmental and non-effective services are clearly not included, but it is impossible to conceive that such addition can bring the total up to 136,154*l.*, upon which estimate Her Majesty's Government decided to claim 100,000*l.* from this Colony.

* No. 1 in C. 6290, March 1891.

† No. 17.

10. Further, that Parliamentary Return gives the following interesting details as regards the contributions levied on different Colonies by Her Majesty's Government for military purposes :—

Colony.	Nature of Colony.	No. of men.	Rate per head.
Jamaica	Crown Colony	1,569	Nil.
Windward and Leeward Islands	" "	1,331	"
Bahamas	" "	111	"
West Africa	" "	953	"
Gibraltar	" "	5,196	"
Cyprus	" "	553	"
Malta	" "	8,796	12s.
Ceylon	" "	1,416	23l.
Hong Kong	" "	2,989	14l.
Mauritius	" "	851	54l.
Straits Settlements	" "	1,509	66l.
Cape Colony, Natal	Responsible	3,324	Nil.

In view of the treatment which other Colonies receive, Her Majesty's Government can hardly expect that the residents of this Colony, and those locally responsible for its government, would admit the liberality which was claimed by Her Majesty's Government as having been shown in respect of the burden laid upon it. It is, of course, urged that there was the understanding between the Imperial Government and the Colony when it was taken over from India, in accordance with which the cost of the garrison of Singapore was to be a charge against Colonial revenues. I did not intend to touch again on this well-known theme, but as your Lordship allows me to submit this further report on this subject of the Military contribution, I think it right to draw particular attention to the terms of the important despatch from the War Office to the Colonial Office, of the 11th May, 1865, referred to in paragraph 11 of your Lordship's despatch of the 5th August, 1891.* Your Lordship comments on Mr. Shelford having only quoted a portion of the despatch. I am sure that your Lordship will acquit him of any design in omitting any part of it. He must have quoted what he considered bore on the argument he was using, but your Lordship quite naturally quotes the rest of the sentence as expressing the views of Her Majesty's Government. The despatch is *in extenso* as follows :—

"SIR,

"War Office, May 11, 1865.

"I HAVE laid before the Secretary of State for War your letter of the 28th February last, together with its enclosures, on the subject of the force to be maintained in the Straits Settlements in the event of their transfer from the control of the India Office to that of the Colonial Office.

"In reply, I am to request that you will acquaint Mr. Secretary Cardwell that Earl de Grey apprehends that if these Settlements are taken over by the Imperial Government it will not be with a view to hold them as Imperial military stations, but in order to meet the often expressed wishes of the local community.

"The amount of force to be maintained in them will, therefore, be determined by the wants and means of the inhabitants, it being a *sine quâ non* condition of the consent of the Imperial Government to the transfer that it is to cast no additional burden on the Imperial Exchequer.

"Looking at the matter from this point of view, it appears to Earl de Grey that the force which it was originally proposed to maintain as the ordinary garrison of these Settlements has been shown to be unnecessarily large, and that a considerable reduction must be effected if the transfer is to be carried satisfactorily into effect.

"His Lordship proposes, therefore, to refer the papers on this subject to a Committee consisting of Lord Hartington, Lieut.-General Sir Richard Airey, and some gentlemen to be nominated by Mr. Cardwell, who, after considering the question on the principles thus laid down, should report the amount and nature of the force which they would recommend for the ordinary garrison of these Settlements.

"I have, &c.

"Sir Frederic Rogers, Bart.,

J. CROFTON, Major-General.

"&c., &c., &c."

11. I have set out that despatch in full in order to let it be seen that these Settlements were to be taken over by the Imperial Government, not with a view to hold them as Imperial military stations, but in order to meet the often expressed wishes of the local community. Hence, now that Singapore is most emphatically and undeniably an Imperial military station of the first importance, the arrangement on which the Colony was required, under totally different circumstances, to bear the cost of its military expenditure, cannot, with due regard to what is equitable, be brought forward as justifying the claims by Her Majesty's Government for the whole, or nearly the whole, of the cost of the garrison at the present time.

12. Further, your Lordship has drawn attention to the subsequent letter from the War Office to the Colonial Office of the 30th January 1866. This despatch I now quote in full, because from the last clause, which has not been quoted in the recent correspondence, it seems to me beyond controversy that, although the Imperial Government held itself free to vary the garrison, there was not, I respectfully submit, any such consequential condition that the Military Contribution might be levied by way of increase, as laid down by your Lordship. The variance, if any, was only to be in the way of reduction.

"SIR,

"War Office, January 30, 1866.

"I AM directed by the Secretary of State for War to acquaint you, for the information of Mr. Secretary Cardwell, that Lord Hartington has communicated to Earl de Grey the views entertained by the several members of the Committee, which, in accordance with the proposal submitted in my letter of 11th May last, was assembled to discuss the arrangements to be made for garrisoning the Straits Settlements upon their transfer from the control of the India Office to that of the Colonial Office.

"Lord de Grey now desires me to point out to Mr. Cardwell that it is hardly possible to lay down any inflexible rule as to the composition of distant garrisons supplied by Imperial troops.

"The distribution of these troops throughout the world is necessarily determined by general considerations; and as that distribution changes, the nature and numbers of troops to be allotted to each particular station must also change.

"In the opinion of Lord de Grey, it is the duty of the War Department to determine the numbers and the composition of the garrison of a Colony; but his Lordship readily admits that, in the present instance, where a negotiation is in progress, it may be convenient and proper that the local government should be informed generally what amount of force it is proposed to station in the Straits Settlements and to maintain there in ordinary times, and he considers that the simplest mode by which this question can be settled, would be that Mr. Cardwell should state the sum which the Settlements could fairly be required to pay for their military defence, and that this Department should then determine what force can be supplied for that sum.

"It must, however, be clearly understood that the Imperial Government cannot enter into any engagement not to increase or to diminish the garrison so fixed, if it should be found advisable at any time to do so.

"I am to add that Lord de Grey will be quite ready to engage, on behalf of this Department, with the Treasury, that the cost of the garrisons as a charge against the Imperial revenue shall not exceed the sum to be received; and he thinks that it might fairly be arranged that, if in any one year the expenses incurred by the Imperial Government were found to fall materially below the Colonial Contribution, a corresponding repayment should be made to the local Government.

I have, &c.,

EDWARD LUGARD."

"Sir Frederic Rogers, Bart.,
&c., &c., &c."

13. The view I have put forward above is strongly supported by the statements in the reply of the Colonial Office of the 6th February, in which, after proposing that the contribution should be 50,000*l.* per annum, Mr. Secretary Cardwell stated that the payment should be "on the understanding that the Colony could not be charged with more than the actual cost of the military expenditure if that be less than 50,000*l.* per annum." In order to avoid mistake, I beg to give this letter in full also.

"SIR,

"Downing Street, February 9, 1866.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your letter of the 30th ultimo, with reference to the arrangements to be made for garrisoning the

Straits Settlements in the event of their transfer from the control of the India Office to that of this office. In answer to the question involved in the third paragraph of your letter, Mr. Cardwell desires me to state that he considers that the Colonial Treasury might properly be subjected to a charge 50,000*l.* per annum, such sum to be taken as covering all military expenditure on this account, with the exception of the maintenance and repair of barracks and fortifications, and with the understanding that the Colony shall not be charged with more than the actual cost of the military expenditure if that be less than 50,000*l.* per annum. Mr. Cardwell would be glad to learn what force Earl de Grey would propose to supply to the Colony in consideration of that sum.

"I am, however, to add that, as the Lords Commissioners of the Treasury have always made their assent to the transfer conditional on its entailing no charge upon Imperial funds, either for its civil or for its military maintenance, Mr Cardwell trusts that Lord de Grey will be enabled to give him such an assurance on this point as will enable him to obtain the assent of the Lords Commissioners. It seems to Mr. Cardwell that the object of the last sentence in your letter would be best attained by something in the nature of a capitation rate.

"I have, &c.

"The Under Secretary of State for War.

"FREDERIC ROGERS."

14. If anything more were wanted to strengthen the position of the Colony on the point under reference, it is to be found in the letter of the Colonial Office to the Treasury of the 21st April 1866. In Clause 4 of the final conditions on which the Colony was to be transferred it is stated :—

"4. The payment of the Colony for military defence shall be 50,000*l.* if 'the cost of the troops stationed there shall amount to or exceed that sum. Otherwise the actual cost of the troops as estimated by the War Office.'"

15. The sum to be paid by the Colony was subsequently increased to 59,300*l.*, as stated by your Lordship, but it was later on reduced, and throughout the negotiations at the time of the transfer, and until quite recently, the whole question of the garrison was dealt with upon the basis of its strength being a matter of Colonial, and not Imperial, interest. Now that the character of the station has been entirely changed in Imperial interests, surely it is not reasonable or just to treat the expenditure as primarily a matter for the Colonial Treasury. Much has been written and said about the residents of the Colony and the Straits Association having pressed for increased defences of Singapore and a stronger garrison. The simple explanation of this is that those who are living in this Colony, or are connected with it, are not behindhand in showing their loyalty to the Crown. They sympathised with that strong public opinion under pressure from which the urgent necessity of adequately protecting our coaling stations on all the great trade routes was brought under the consideration of Her Majesty's Government and the Imperial Parliament. Hence, possessing a local knowledge, they joined in the discussions as to the character and extent of the defence works which it was proposed to carry out in Singapore, looking upon the action that was being taken as a matter of Imperial concern, in which as British subjects they could advantageously share, and they supported with readiness, and in a liberal spirit, the proposal that a large portion of the expenditure to be incurred in the defences should be borne by the Colony. The situation was not looked at from a parochial or local point of view, but as one in which the credit of the Mother Country, to which they belong, was at stake. They have never shirked the responsibility of having to pay more for the increased garrison, though, when they were asked to provide the means for constructing the new forts it was never intimated to the Government of the Colony that they would be called upon to do so. All that they now protest against is that they should be required to pay for very nearly the whole cost of that garrison which is here primarily for Imperial interests. Have Her Majesty's Government counted the cost of estranging such a feeling as I have described? Yet, if the present policy of exacting, on the grounds that have been stated, such a heavy contribution as that now levied, is persisted in, such must be the inevitable and deplorable result, and its effect will, I fear, be felt for many years to come in regard to all matters in which Imperial and Colonial interests are likely to come in contact.

I have, &c.

(Signed) CECIL C. SMITH.

SIR C. C. SMITH to LORD KNUTSFORD.

(Received May 31, 1892.)

Government House, Singapore,

April 21, 1892.

(EXTRACT.*)

I will beg your Lordship to give as full a consideration as is possible to the contention of this Government that there is no such liability as that indicated in paragraph 8 of your Lordship's despatch now under reply. The passage in that despatch to which I refer states "that throughout the correspondence it has been assumed that the Colony was liable now, as it always has been, to provide lands and buildings for its garrison."

I am, I must confess, in some difficulty at the outset, owing to uncertainty in regard to the extent of the correspondence to which reference is made. In case, therefore, Her Majesty's Government should have in view the conditions on which the Straits Settlements were taken over from the Government of India in April 1867, I will ask attention to so much of the correspondence as passed prior to that date on the subject of the liability of the Colony to provide barracks for the garrison.

See page 50 of Blue Book, 1866 (in continuation of Parliamentary Paper No. 259 of 1862).

In a letter dated May 25th, 1866, from the Colonial Office to the Treasury, the following passage occurs:—"I am to add that as the sum now to be contributed is to cover the whole cost of the force, Mr. Cardwell does not consider that the Settlements can be called upon to incur any charge on account of barrack accommodation that may be required for any troops that may be stationed at Singapore for Imperial purposes."

See same page.

A similar intimation was made to the War Office at the same date.

On the 2nd June 1866 the Treasury replied to the Colonial Office as follows:—

See page 51.

"As regards that portion of your letter which refers to barrack accommodation for any troops stationed in the Settlements for Imperial purposes, my Lords agree that no charge on this account ought to fall upon the Settlements.

"The only condition they have to make upon the subject is that, after sufficient barrack and hospital accommodation has been provided at the expense of the Settlements for the troops stationed there for local purposes, any existing barracks or hospitals which may be in excess of such accommodation, and which may be required by the War Department, shall be handed over to that Department free of any charge, to be maintained at the Imperial expense during the occupation thereof."

Her Majesty's Government assented, on the above understanding, so far as the barrack question was concerned, "to the introduction of the Bill into Parliament for the transfer of these Settlements."

The next portion of the correspondence relates to the discussion and conference in 1871, in view of the termination in 1872 of the arrangement made in 1866 for the five years from April 1867 to April 1872. The various points for settlement in connection with the military charges of all kinds were referred to a Committee, and in their report of 10th August 1871 they included, among those charges which they thought should, under the new arrangement, be borne by the Colony, "the proportion of the charge (first cost and interest spread over a series of years) of erecting new barracks at Penang and Malacca for Imperial troops." And Governor Sir Harry Ord, who was a member of the Committee, attached a memorandum to this report, and recommended *inter alia* "that the garrison recommended by the Committee be approved, and that so soon as the Colony shall have provided the necessary barrack accommodation for European troops at Penang and Malacca (Singapore is already furnished with what is required) and the armed police duly organized, the contemplated change shall be carried out."

The necessary barrack accommodation at Penang and Malacca was duly provided at the cost of the Colony. That was plainly a Colonial, and not an Imperial, matter and yet it had to be specially provided for in the new agreement.

So far as I can trace there is no further correspondence affecting the liability of the Colony to provide barracks until the time when the question of increasing the garrison was under consideration. By Mr. Meade's letter of the 10th March 1888,† to the War Office, forwarding a copy of a despatch from me (of the 6th February†) relative to the barrack accommodation that will be required for the proposed increased

* The rest of this despatch is not printed as it relates solely to estimates of cost of new barracks.

† Not printed.

garrison at Singapore, your Lordship sought the concurrence of Mr. Secretary Stanhope "in thinking that if it is decided that the Colony must bear the cost of the new barrack accommodation, the views of the colonial authorities as to the character and position of the buildings must be taken into account and as far as possible adopted."

From that letter it is clear that, up to March 1888, your Lordship's department, which has charge of the interests of the Colony, and is necessarily most conversant with its history, its liabilities, and its responsibilities, held that the obligation of the Colony to provide the additional barrack accommodation required for the increased garrison was not established or admitted, but that the question was one for decision. The War Office did not accept that view. The reply to the above-quoted letter stated that Mr. Secretary Stanhope "concurs that as the Colony provides the barrack accommodation for the garrison in the Straits Settlements, every consideration and much weight should be given to the views of the Colonial Government as to the character and position of the buildings." Your Lordship thereupon caused the War Office to be reminded "that the Straits Settlements Government had not yet accepted any liability to provide barracks for any force in excess of the garrison decided on in July 1871."

This statement called forth the following important letter from the War Office, which I give in full, as, I conclude, it states the grounds for placing on the Colony the cost of the proposed barracks:—

* WAR OFFICE TO COLONIAL OFFICE.

"SIR, May 1, 1888.

"In reply to your letter of the 18th ultimo on the subject of providing barrack accommodation for the garrison of the Straits Settlements, in which it is stated that the Straits Settlements Government has not yet accepted any liability to provide barracks for any force in excess of the garrison decided on in 1871, I am directed by the Secretary of State for War to point out that the conditions on which the Straits Settlements were taken over by the Imperial from the Indian Government in 1866 have in no way been modified by the agreement of 1871, except in regard to the composition and the cost of the garrison for the time being.

"I am to draw Lord Knutsford's attention to the War Office letter of the 30th January 1866, in which it was stated that the Imperial Government 'cannot enter into any engagement not to increase, or to diminish the garrison so fixed' (*i.e.*, in 1866) if it should be found advisable at any time to do so'; and to a letter from the Secretary of State for the Colonies to the Lords Commissioners of Her Majesty's Treasury of the 21st April 1866, in which, after recapitulating the garrison agreed upon, it was stated 'that the Colony should provide barrack accommodation for the above-mentioned troops, or for any greater number which may be demanded for the defence of the place.'

"In the War Office letter of the 28th September, 1886 Mr. Secretary Smith informed the Secretary of State for the Colonies that the additions to the garrison were required for the defence of the station.

"I am to add that this question, with others, will be taken into consideration by the Inter-Departmental Committee.

"I am, &c.

"(Signed) RALPH THOMPSON."

Your Lordship's reply is of equal importance, and, for the sake of easy reference, I include it here:—

COLONIAL OFFICE TO WAR OFFICE.

"SIR, May 4, 1888.

"I am directed by Lord Knutsford to acknowledge the receipt of your letter, of the 1st instant, respecting the barrack accommodation that will be required for the proposed increased garrison at Singapore.

"2. I am to request you to intimate to Mr. Secretary Stanhope that, in the opinion of Lord Knutsford, the arrangements made between the Imperial and Indian Governments in 1866, and the agreement with the Colony in 1871, relates to settlements which then had little, if any, importance beyond that derived from their local trade, consisting as it did mainly in the collection and distribution of the produce of the Native States and islands in the neighbourhood. The wonderful change which would follow the opening of the Suez Canal was not foreseen in 1866, and apparently not realized in 1871; there appears to be nothing in the correspondence to indicate that either the Home Government or the Colony, in concluding the agreement of 1871, contemplated the possibility of Singapore becoming a place of vital importance to the Empire as the principal coaling

See despatch of 26th July 1888,* from Secretary of State to the Governor.

base of the Navy in the Eastern Seas, as well as a coaling station for the whole trade of the far East, which, unless Lord Knutsford is mistaken, in 1866 did not pass Singapore at all, and in 1871 had not attained its present development.

"3. It appears to his Lordship that, in placing a meaning upon the above-mentioned arrangement and agreement, regard must be had to circumstances as they existed at the time; and that an agreement relating to the defence of a local port of trade cannot possibly be read as a promise to provide for a coaling station which subsequent and unforeseen events, independent of the local trade, have called into existence for supplying the wants of the Empire.

"4. His Lordship is quite willing that the matter should be considered by the Inter-Departmental Committee, but he desires to point out that the question cannot be regarded as concluded by the correspondence of 1866 and 1871.

"I am, &c.

"(Signed) EDWARD WINGFIELD."

For the sake of convenience, I have not yet referred to the correspondence quoted by the War Office. Such remarks as I have to make can better come in at this place. I wish to point out, in addition to the very forcible reasons which are given on behalf of the Colony by your Lordship, that it does not seem equitable for the War Office to base a claim, such as that now urged, on the detached passage in correspondence that took place at the time of the transfer. The quotations, however, which I have already made, show the terms on which the transfer was ultimately agreed upon, and if they are not in accord with the terms set out in the letters quoted by the War Office in its letter of the 1st May, it is naturally to the letters of latest date to which we must look in order to understand the final arrangement. But there is this further point for consideration. The correspondence referred to by the War Office hangs upon the view which the War Office took at that time, as to the object of the military requirements of the Colony. This is to be found in the War Office letter of the 11th May 1865, in which it is stated that "Earl de Grey apprehends that if these Settlements are taken over by the Imperial Government it will not be with a view to hold them as Imperial military stations, but in order to meet the often expressed wishes of the local community. The amount of force to be maintained in them will, therefore, be determined by the wants and means of the inhabitants, it being a *sine quâ non* condition of the consent of the Imperial Government to the transfer that it is to cast no additional burden on the Imperial Exchequer."

Your Lordship has in effect stated the argument on which the Colony relies. I have thought it well to give the *ipsissima verba* of the understanding on which the War Office entered upon the arrangements for the transfer of the Colony from the Indian Government to the Imperial Government. The additional troops quartered here are, as has been said over and over again, without it being disputed, for Imperial purposes. The liability of the Colony is limited to providing barrack accommodation for such troops as are maintained here according to "the wants and means of the inhabitants." The inhabitants of the Colony do not, in their own interests, require any such force as that now stationed here, and have not the means, without interfering with the legitimate aspirations of the Colony as to its progress, of providing for the increased garrison, or for the heavy expenditure proposed to be incurred by the military authorities for new barracks.

It may, nevertheless, be said that the Legislative Council has admitted its liability to provide the attendant expenditure for new barracks by its resolution of the 13th February 1890.* But this is not the case. The Legislative Council agreed to incur the heavy outlay (60,000*l.*) which Her Majesty's Government stated was required for additional barracks, on the distinct understanding that the Colony was not called upon to pay more than half of the actual cost of the garrison. There was no admission here of any liability, and the offer was simply made in the spirit of compromise, and in the hope that the liberality of the Colony would receive due recognition by Her Majesty's Government. The situation has now changed. Her Majesty's Government has insisted on the full demand of 100,000*l.* being paid as an appropriation for the military charges incurred on behalf of this Imperial coaling station. This amount has been levied for the last two years. The surplus balances of the Colony have been exhausted by payments made out of the Colonial to the Imperial Treasury, and the current resources of the Colony are being so drawn upon for military purposes, that necessary public works and other expenditure for the educational and sanitary improvement of the Colony cannot be met.

* Enclosure 1 in No. 3 in [C. 6290], March 1891.

LORD KNUTSFORD to SIR C. C. SMITH.

[Answered by No. 24.]

SIR,

Downing Street, August 5, 1892.

HER Majesty's Government have given careful consideration to your despatch,* of 2nd March last, relative to the Military Contribution, in accordance with the undertaking of the Chancellor of the Exchequer, to which you refer, that in the event of a decrease in the Colonial revenue, they would be prepared to review the situation; but I regret to inform you that they do not see sufficient reason for reducing the contribution to be paid by the Colony.

2. I can only repeat what was stated in my despatch † of 13th January last, that the estimated revenue for 1892 compares favourably under most heads with the revenue for 1888, on which the original decision as to the amount of the contribution was based.

3. The statement in paragraph 4 of your despatch under acknowledgment, that I had sanctioned an increase of expenditure from 3,559,864 dollars in 1888 to 4,745,000 dollars in 1891, appears to be hardly accurate. The original estimate of expenditure for 1891 was 4,313,621 dollars, but in my despatch of 30th December 1890 ‡ I suggested that the amount should be reduced, so as to bring the expenditure as far as possible within the revenue for the year, and the estimates were accordingly reduced by 255,400 dollars, as reported in your despatch of 3rd April 1891, § or to a little over 4,000,000 dollars. It is true that the actual expenditure within the year was, as stated in your telegram of the 4th instant, nearly 4,600,000 dollars, but the excess over 4,000,000 dollars was caused by the arrears of Military Contribution paid in March 1891, amounting to about 560,000 dollars, the greater part of which sum was properly chargeable to the account of the preceding year, and was, in fact, met by the balance of actual revenue over the expenditure of 1890, which amounted to more than 500,000 dollars. If the revenue and expenditure of the two years are taken together, the excess of the latter over the former will be seen to be only 261,182.

4. I cannot understand the remark in the 5th paragraph of your despatch, that the whole of the surplus balances which were set aside and invested as a reserve fund for other purposes have been absorbed for the payment of military claims. The only portion (if any) of the military claims, which can in any sense be fairly described as having been paid out of these balances, was the last mentioned sum of 261,182 dollars; and this sum approximately represents arrears from the period prior to 1890, viz., 14,256*l.* 18*s.* 6*d.* required to make up the full contribution for the year 1889, and 28,976*l.* representing half the loss on exchange up to 31st December 1888, which two sums together, at 3*s.* 8*d.* the dollar, the rate of exchange at which the arrears were paid, amounted to 235,800 dollars.

It might with greater justice be said that the reserve fund had been diverted into quite another channel, viz., into advances to the Native States, since these advances have gradually increased from about 300,000 dollars at the beginning of 1882, the year in which the reserve fund was first formed, to over 630,000 dollars at the end of 1889, and to over 1,000,000 dollars at the beginning of the present year.

5. As regards your contention that, inasmuch as the garrison has not been maintained at its full authorised strength, the Colony is entitled to a proportionate rebate of its contribution, Her Majesty's Government adhere to the view expressed in previous despatches, viz., that so long as the Colony does not pay the full cost of the garrison—and the present contribution of 100,000*l.* is far below its full cost—there is no reason why any rebate should be allowed for deficient numbers as long as the sum paid does not exceed the cost of the garrison actually provided.

6. You argue in the 6th paragraph of your despatch, that the decision to make no rebate on account of deficient numbers is neither in accordance with what was considered fair and proper by the Imperial Treasury in the discussions as to the Military Contribution to be levied in 1866, nor with what was the practice in Ceylon, where a rebate was formerly allowed for every man under the authorised strength of the garrison; but I would remind you that, under the arrangement of 1866, the Straits Settlements was supposed to pay the full cost of the garrison maintained in the Colony, and yet no claim seems to have been made for rebate on account of deficient numbers, and though in the case of Ceylon such a rebate was allowed when the Colony paid the

* No. 21.

† No. 17.

‡ Not printed.

full costs of its garrison, the rebate ceased from the 1st January 1885, when the contribution was reduced to a sum which manifestly did not cover the full cost.

7. In the same paragraph of your despatch you also demur to the view that any liability attaches to the Colony in respect of the half company of Royal Engineers, until it actually reached the Straits, because "this body of men is not raised specially for local service, but is part of the Imperial Army, and will, after one, two, or three years, be relieved, and sent to some other portion of the Empire." This takes no account of the fact that the establishment of the Army was increased with a view to providing Fortress Engineers for Singapore and elsewhere, and that the establishment would be reduced if they were not required at Singapore, and therefore, that from the moment they were raised, their cost was properly regarded as due to the military defences of the Settlements.

8. The enclosed statement "A"* shows the numbers effective at the station, compared with the regimental establishments, month by month, from 1st January 1890 to 1st March 1892.

Taking the two years 1890 and 1891, it will be seen that the average number of effectives fell below the establishment by 164 and 136 respectively. The total cost of the garrison was estimated to be 136,154*l.*, and this, divided by the regimental force, would give a capitation rate of something under 90*l.*, which is a liberal way of stating the case, as the main deficiencies were in the Native Artillery, which is the least costly portion of the garrison. Taking the rate of 90*l.*, however, the deficiencies in numbers would represent a saving in cost of some 14,700*l.* in 1890, and 12,200*l.* in 1891, but still leave the total cost for the two years as 121,454*l.*, and 123,954*l.*, which sums are considerably in excess of the contributions demanded; and as a matter of fact the actual expenditure in the two years 1890-91 has considerably exceeded £100,000 a year.

9. As regards the comparison drawn by you in paragraph 9, between the estimated cost of the garrison (136,154*l.*) on which the contribution of 100,000*l.* was based, and the sum included for the Straits Settlements in the "statements showing the amounts included in the Army estimates, for military purposes in the Colonies," which is presented annually to Parliament, the difference of 44,530*l.* between the two statements can readily be explained. As you observe yourself, the annual "Statement" includes no provision for non-effective services, nor does it contain anything for the home charges of depôts, &c., cost of arms, &c., or for sea transport. These items alone account for some 36,600*l.* The balance of 7,900*l.* may be set down to the fact that the statement given to the Colony was based on the full proposed establishment, while that issued with the estimates is an approximation for a specific year based on probable actuals. It may be added that the statement given to the Colony was prepared in fuller detail than in that issued with the Army estimates.

10. No useful object can, in my opinion, be served by such a comparative statement as that given in paragraph 10 of your despatch, the Colonies enumerated differing in many essential conditions.

11. In paragraphs 10-15 of your despatch under acknowledgment, as also in paragraphs 3-11 of your despatch† of 21st April last, regarding the additional barrack accommodation required at Singapore, you recur to the argument that the original understanding that the Colony should bear the whole of its military charges lapsed when Singapore became (as you say) "an Imperial military station of the first importance," and the troops stationed at Singapore (or some portion of them) were placed there "for Imperial purposes."

On this point I can add little to what was stated in the 6th and following paragraphs of my despatch of 5th August last.‡ I there pointed out that, even if Singapore were not used as an Imperial coaling station, it would still require to be defended for its own sake, and it could not be effectually defended against an attack from the sea with less complete defence works than those which have been provided. The fact that these works also defend the naval coal supply adds nothing to their cost, nor to the garrison required to man them.

12. It is true that in the course of the correspondence which passed in 1865-66 it was agreed that it was not intended to hold the Straits Settlements "as Imperial military stations," and that if any troops were stationed there "for Imperial purposes" no charge on this account ought to fall upon the Settlements; but the meaning of the phrase "Imperial military Station," and "troops stationed there for Imperial

* See Enclosure 3 in No. 24.

† No. 22.

‡ No. 10.

purposes" as used in that correspondence, may be gathered from what occurred at a later date, as referred to in the following sentence, quoted from paragraph 9 of my despatch* of 13th December 1889:—

"One wing of a European regiment was for sanitary reasons to be brought from Hong Kong, but as it was liable to be removed for Imperial purposes it was to be maintained at Imperial cost."

In other words, the test of the troops being maintained for Imperial purposes, or the station being an Imperial military station, consisted in the consideration whether any portion of the garrison formed a recognised part of the garrison of another Colony, and was removable for its defence, or whether the garrison was entirely devoted to the defence of the Straits Settlements alone. As I have stated above, the whole of the present garrison is required for the defence of Singapore, and I regret that I cannot accede to your argument, although when the letter to the War Office of 4th May 1888, to which you refer in your despatch of 21st April last,* was written by my direction, I was, without, perhaps, having fully considered the whole of the circumstances, inclined to hold your view of this question.

13. I will address you separately in regard to the question of barrack accommodation referred to in your despatch of 21st April last.*

I have, &c.
(Signed) KNUTSFORD.

No. 24.

SIR C. C. SMITH to the MARQUESS OF RIPON.

(Received December 31, 1892.)

[Partly answered by No. 29.]

Government House, Singapore,
November 30, 1892.

MY LORD,

I HAVE the honour to forward an extract from the Proceedings of the Legislative Council when the Vote for the Military Contribution for next year was submitted to the Council. The amount of the Vote is 735,273 dollars, the equivalent of 100,000*l.* at 2*s.* 9*d.* per dollar. The unofficial members sought to reduce the Vote to 509,090 dollars, being the equivalent of 70,000*l.* at the same rate of exchange. The original vote was carried by the official majority only.

As bearing on the same subject I enclose a copy of the protest of the unofficial members of Council which they attached to the report of the Special Committee on the estimates for 1893.

2. It would be idle to conceal from your Lordship that the feeling of injustice, which rightly or wrongly has been rife in the community since the decision of Her Majesty's Government as to the increased military contribution in December 1889, is as strong as ever. Apart, too, from the question of the undue share, as it is considered, of the cost of the military establishments which the Colony has to pay, there is naturally arising continually the question as to whether greater economy, without impairing their efficiency, cannot be introduced into those establishments. While the Colony is compelled against its will to pay by far the larger portion of the military charges it is not unreasonable that it should be listened to on such a point. It is believed that now that there are no more defence works to be constructed, and that the scheme of defence is settled, there can be no need for such a strong force of Royal Engineers and for such a large staff. The effective strength of the garrison on the 1st of this month was 1,428 officers and men, among whom there were 50 Regimental Officers and 10 Staff Officers. Again, the advent of the Hong Kong Regiment, which is very highly spoken of, has turned public attention to the fact that a great deal of public money would be saved by having such a regiment here in lieu of the Line regiment. It consists of 1,012 of all ranks, and its annual cost is about 35,000*l.* less than that of the Line regiment. If the garrison of Singapore is more a matter of Colonial than Imperial concern there can be no doubt, I presume, that the Colony is entitled to ask for consideration on such points, and to urge the introduction of economies which would partly relieve it from the heavy burden which it is now called on to bear.

3. I take this opportunity of referring to the Statement A, enclosed in Lord Knutsford's despatch of the 5th August* last, which "shows the numbers effective at the station compared with the regimental establishments, month by month from the 1st January 1890 to 1st March 1892." The figures in that statement do not accord with those supplied to me in the General Monthly Returns, which give the actual figures on the last day of each month. I return a copy of Statement A on which I have had marked the figures given to me by the General Officer Commanding. He cannot account for the discrepancy, but says that the War Office Return "probably includes men on passage to and from Singapore, as they would not be shown on the Home Returns." However that may be, there can be no question that the Monthly Returns issued from the office of the General Officer Commanding may be taken as absolutely correct, and the deficiencies for 1890 and 1891 must be taken at 182 and 179 as against 164 and 136 in Lord Knutsford's despatch. The actual returns for 1892 will, it may be anticipated, show a larger average deficiency in the authorised strength of the garrison.

I have, &c.
(Signed) CECIL C. SMITH.

Enclosure 1 in No. 24.

LEGISLATIVE COUNCIL, Friday, 11th November 1892.

Present :

His Excellency the Governor (Sir Cecil C. Smith, G.C.M.G.).

His Excellency the General Officer Commanding the Troops (Major-General Sir Charles Warren, G.C.M.G., K.C.B.).

The Honourable the Colonial Secretary (W. E. Maxwell, C.M.G.).

„ the Resident Councillor of Malacca (D. F. A. Hervey, C.M.G.).

„ the Acting Attorney-General (J. A. Harwood).

„ the Colonial Treasurer (E. E. Isemonger).

„ the Colonial Engineer (Major H. E. McCallum, R.E., C.M.G.).

„ J. M. B. Vermont.

„ T. Shelford, C.M.G.

„ G. S. Murray.

„ Tan Jiak Kim.

„ T. C. Bogaardt.

„ A. L. Donaldson.

Absent :

The Honourable the Resident Councillor of Penang (A. M. Skinner, C.M.G.).

„ the Auditor-General (H. Trotter).

„ D. Comrie.

The minutes of the last meeting were read and confirmed.

* * * * *

On the Vote for Military Expenditure, 735,273 dollars—

Mr. Shelford said that he had an amendment to move to this Vote, and, as it would take some considerable time, he would suggest an adjournment.

The Governor said he was entirely in the hands of the Committee, but he recommended his honourable friend to go on with it.

Mr. Shelford :—Sir, I rise to move the reduction of this Vote to 509,090 dollars, being at 2s. 9d., the equivalent of 70,000*l*. This amount represents, in round numbers, half the cost of the increased garrison as laid down in the Secretary of State's despatch of the 13th December 1889. It is in accordance with the resolution passed in this Council in February 1890. It fits in with the various debates and despatches which have passed on the subject. It is alluded to in the protest laid upon this table in March 1891, which was signed by all the unofficial members, including my honourable friend opposite (Mr. Vermont), who was guilty of a *lapsus linguæ* in saying 80,090*l*. I do not doubt, sir, that the official members, if free to vote in accordance with their sympathies, their knowledge of facts, and their sense of justice, subject to some variety

of detail, would accept the principle of this amendment with but one dissentient vote—necessarily that of the General Officer Commanding.

Now, sir, since this question was debated in March 1891 a good deal of correspondence has been laid upon the table. It is not my intention to attempt to deal with that correspondence, because every argument advanced by the Secretary of State has been seen and answered in the despatches of the Governor. I desire to say that the Colony is deeply indebted to his Excellency for the admirable way in which he has laid our case before the Secretary of State. If he has not so far been successful, it is not due to the lack of skill in handling the subject, or persistent efforts in pressing it home. It is due to the determination of Her Majesty's Government to set aside such constitutional principles as prevail in a Crown Colony, and to pass the Votes over our heads. It is beside the question for the Secretary of State, as in his despatch of 5th August 1891, to disclaim any discourtesy towards the Colony. That is not the point. The point is that he has appropriated the revenues of this Colony without the approval and sanction of the authorized channels. It is ridiculous to contend that the forcing of Votes through this Council against the opinion of the Governor and the officials, no less than of the unofficials, is otherwise than a straining of Article X. of the Letters Patent, which provides that the Legislative Council shall have "full power and authority to make such provisions for the raising and expenditure of the public revenue as may be deemed advisable for the peace, order, and good government of our subjects within our settlements, or within any territory which may at any time be part of, or dependent upon, the same." I do not put forward the idea of "no taxation without representation." That, of course, may sound admirable on the platform, but we know very well at this table that in a Colony like this, with a large native population, except in a modified degree, that principle could not prevail. It only increases the responsibility which lies upon Her Majesty's Government to take every care not to press too heavily upon a Colony which is dependent entirely upon them, and looks to them to arbitrate justly and fairly on the points at issue. In his despatch of 5th August 1891 the Secretary of State says:—"It must be borne in mind that if the arguments that have been adduced by them had prevailed with the Government, there would have been no difficulty about altering the contribution for future years." But I maintain that is quite a different thing—that it was obviously more difficult for them to retreat from a position which they had publicly taken up, and in defence of which they undoubtedly have ignored and passed over many of the arguments which have been advanced on the side of the Colony.

And, sir, I must point out that our case has not been fairly represented by Her Majesty's Ministers in the House of Commons. The Chancellor of the Exchequer, speaking in July 1891, said:—

"The Singapore people paid 50,000*l.* in the year 1860 when their revenues were 200,000*l.*, now their revenues are 600,000*l.* The honourable member thinks it generous when their revenues are three times as great, and everything connected with military expenditure costs twice as much, that the colonists should offer to pay the same as they paid 30 years ago. I do not think that is an offer adequate to the occasion."

And this notwithstanding that the member who had spoken immediately before had stated that the Colony had offered of its own accord to pay half of the increased expenditure. The Chancellor of the Exchequer represented the Colony as niggard, as unwilling to fulfil its just obligations; ignoring our expressed willingness to pay half the cost incurred by the addition to the force, he passed by the changed condition of affairs and the increased responsibility of Her Majesty's Government. But the Chancellor of the Exchequer may possibly have been misled; what are we to think of the despatch which puts forth the same sentiments? This despatch bears evidence of having been written in the War Office, but it passed through the Colonial Office and was scrutinized by them, yet the Colonial Office, which knew perfectly well what had taken place allows statements such as these to go forward—that "It seems to be assumed that the contribution fixed in 1866 was the amount which it was reasonable that the Colony should bear, and that it was not thenceforth to be varied." And lower down—"The Straits Settlements Association, in support of the contention that the Governor (*sic*) has no right to increase the Military Contribution of the Colony, ****." There never was any such contention; it has been a matter of degree throughout; and it is the ignoring of this fact, or both, in the despatches and in Parliament, which, to my mind, constitute an unworthy and unfair treatment of the difference between us.

And, sir, notwithstanding all, the position remains entirely unchanged. It cannot be denied that the port, strategically, commercially, and politically, is of much greater

importance from an Imperial point of view than when the agreements of 1866 or of 1871 were drawn up. The Colonial extension of foreign Powers, the great increase of the Imperial trade in these parts, the consequent necessity of strengthening the port, all these show its growing importance from an Imperial point of view. It is altogether insufficient for the Secretary of State, as in the despatch of January 1891, to meet this class of arguments in the manner in which it was met in 1862, wherein he represents that these Imperial considerations had then been taken into account, and that they did not affect the decision of Her Majesty's Government when finally drawing up the original agreement. If Singapore was an important place then, its importance has since vastly increased. There were then no jealous Powers around us. We were not subject to danger in consequence of international questions arising in other parts of the world. England was then not only the sole mistress, but, in matters relating to any interference, the sole occupant of the seas. Singapore was a port of local distribution, while it is now the most important coaling station of this part of the world, and the most important coaling base of Her Majesty's fleet. It is impossible for Her Majesty's Government to ignore the Imperial increased obligations thrown upon them, and we contend that the contribution should be measured, not only with reference to the protection given, but also with some regard to the relative value of our trade.

Now, our contention for long has been that it never was intended that this place should be an Imperial military station. On the contrary, it was laid down in the original agreement that the garrison should be in accordance with the wants and the means of the inhabitants. In this despatch of August 1891 I have been severely taken to task for having passed over the condition of the consent of the Imperial Government to the transfer. But I have, with all due respect, done nothing of the sort; I only divided the sentence into two parts. The point was that the condition, the "*sine qua non*" condition, of the consent of the Imperial Government to the transfer," "that it is to cast no additional burden on the Imperial Exchequer," governed by the principle that the garrison was to be according to the "wants and means of the inhabitants," was one that the Colony could then accept, and, for the matter of that, is prepared to accept now. The Secretary of State quoted a later paragraph in the letter from the War Office of 30th January 1866—"It must be clearly understood that the Imperial Government cannot enter into any engagement not to increase or diminish the garrison so fixed, if at any time it should be found advisable to do so"—with the view, apparently, of attempting to show that they had the foresight in 1866 to see the change brought about by the opening of the Suez Canal; but he again, in his turn, omitted the concluding paragraph in the letter in question, in which he said: "I am to add that Lord de Grey will be quite ready to engage, on behalf of his Department, with the Treasury, that the cost of the garrison as a charge against the Imperial revenue shall not exceed the sum to be received; and he thinks that it might fairly be arranged that if in any one year the expenses incurred by the Imperial Government were found to fall materially below the Colonial contribution, a corresponding repayment shall be made to the local Government." All tending clearly to show that any changes would be towards reduction—that any changes were rather in connection with the varying local circumstances of the time than those which the Secretary of State seeks now to force upon us.

Honourable members will observe that the Secretary of State, in his last despatch upon the subject, of 5th August 1892, makes reference to a letter which was written by his instance upon the 4th May 1888, to the War Office, and from the footnote attached it is evident that this letter is, with subsequent correspondence, to be laid upon this table. I therefore applied to the Government for a copy of the despatch, thinking that it would probably bear upon the matter now before us. I have been supplied with a copy, and as it is very apposite, I ask permission to read it—

COLONIAL OFFICE to the WAR OFFICE, May 4, 1888.

(See page 55.)

Those were the views of Lord Knutsford upon the 4th May 1888, some months before the decision of Her Majesty's Government was arrived at. Sir, the Secretary of State now seeks to shift his ground. Hitherto we have always been called upon for our contribution because of the consequential protection afforded us by the presence of the garrison for Imperial purposes. In this despatch of 5th August, 1892, we are told "that even if Singapore were not used as an Imperial coaling station, it would still

require to be defended for its own sake." I venture to say that, for its own sake, Singapore would not have been provided with this garrison. We know very well that the original proposal with regard to Fort Fullerton guarding the bay was subsequently altogether laid aside. The scheme which has been adopted is that which was laid before the House of Commons, to the effect that the line of coaling stations to the East should be fortified. In accordance with that scheme, it was provided that the New Harbour should be protected, and that the men-of-war anchorage should be "denied." From the statistics which have been from time to time laid before this Council, it has been proved beyond contention that the vast trade which passes through this port belongs not to us—that our own trade is in comparison insignificant. His Excellency in his address alluded to the increase of tonnage last year, although there was a decrease in imports. That is surely significant, and it only serves to prove the passing trade is increasing, and as China is further opened up the disparity will increase. I should like, for the sake of argument, to compare the relative values of the Imperial trade through this port and of our own trade, with the relative proportions of the cost of the military works and charges borne by the Colony to that by Her Majesty's Government, including the naval protection, which we are again told is 4,000 tons, whereas we know it is 2,300 tons.

If the entire responsibility is to be thrown upon us, it seems to me the time is not far distant when we must consider the necessity of some change being introduced into the present system. We are reminded that under the Indian Government we were charged a much larger percentage than at present, and it is perfectly true, but the object of the transfer was to be relieved of this expenditure. The Indian Government kept troops here for their own convenience, for climatic as well as military purposes, and they also garrisoned the Settlements, which is now undertaken by the Colony itself, with a separate body of police. The proportion has now risen from the 15 per cent. named by the Secretary of State to 20·25 per cent. The Governor points out that the charge demanded of us is 66*l.* per man, as against in Ceylon 23*l.* and in Hong Kong 14*l.*; to which the Secretary of State has no other reply to offer than "that the Colonies" "enumerated differ in many essential conditions"; the essential conditions in all, I imagine, being the matter of percentage, and the question whether with such a heavy charge the progress of the Colony is not unduly impeded. In 1865 great complaint was made as to the number of field officers, which led to such heavy expenditure, and it seems to me that if we are not to be relieved of any of this charge, that the time has arrived when this Colony should consider whether it can reduce the elements of extravagance in the force that is now here. I am speaking entirely from a Colonial point of view, and as, in our opinion, with the sum of 70,000*l.* the Colony can fully carry out all that is required of it, and more, and can fulfil the duty which it owes towards the Imperial Government, I beg to move the amendment to reduce the vote to 70,000*l.*

MR. DONALDSON:—Sir, I rise to second the motion of my honourable friend, not because we can reasonably hope for any immediate tangible result from such a motion. It is, perhaps, too much to hope for justice to a little Colony like this, when the interests of the British taxpayer are in the balance, to however small an extent, the reduction which we are asking being a mere fleabite as compared with the enormous expenditure of the Mother Country. But I consider that it is our duty—those of us who are free to do so—to keep on protesting against the injustice done to this Colony by this enormous Military Contribution. Nor, can I hope to add much to what has been said of the case of the Colony in your Excellency's admirable despatch on the subject—a despatch which, I may take leave to say, will hand the name of the writer down to posterity in this Colony as the name of a Governor who had the interest of his Colony immediately at heart, and fought its battles with all the powers at his command. How forcible and unanswerable was that despatch is shown by the way in which it is met by the despatch of the Secretary of State. In that despatch there are things which caused me some surprise. I allude especially to the 11th paragraph. Are we to think that a Minister of the Crown, for the first time in the history of the country, repudiates the responsibility of the Mother Country for the safety of its Colonies?—for that is what the paragraph amounts to—that we should be bound to defend ourselves if it is not necessary for Imperial purposes, as in case of a coaling station or otherwise. I have always understood that the protection of the Colonies is the primary duty of a Mother Country, and that they need only to contribute to that so far as they reasonably can with the funds they can spare from local purposes. That it should fall upon a small Colony to defend itself is an axiom quite unknown to English

history. And in the same paragraph the Secretary of State goes on to speak of defence works: "even if Singapore were not used as an Imperial coaling station, it would still require to be defended for its own sake, and it could not be effectually defended against an attack from the sea with less complete defence works than those which have been provided." Sir, no doubt it would have to be defended for its own sake, but not alone for the sake of us Colonists who reside here, or who carry on business here. The interest, sir, of those who have firms in this Colony is infinitesimal by the side of the interest of the British manufacturers and the millions they employ, which renders it necessary to obtain new outlets for their goods. Sir, what would happen if these Colonies were lost? Where would they find a mart for their goods? We have seen the result in a neighbouring Colony of another country (Saigon), where British goods are completely excluded by tariff, and what would happen to British interest if the outlying Colonies were in the hands of another country? Therefore, I say that the interests of this Colony are entirely Imperial, whether we look at it as a coaling station for the men-of-war, or as part of the system of depôts throughout the world for the sale of the produce of our British manufacturers.

And is it fair to your Excellency to answer such arguments as your Excellency has placed before the Secretary of State by such a paragraph as No. 10?—"No useful object can, in my opinion, be served by such a comparative statement as that given in paragraph 10 of your Despatch, the Colonies enumerated differing in many essential conditions." Sir, we know that the Colonies enumerated do differ in various essential conditions, but what we want to know is—and what we have, I venture to think, a right respectfully to ask—what are those conditions which induced the Home Government to exact from us so much larger a proportion of the cost of defence than from the other Colonies. In addition to the figures in your Despatch, there are other figures which I think of importance. I find from other published materials that whereas we are paying some 73 per cent. of the total cost, Hong Kong is paying only 20 per cent., Ceylon 24, and Mauritius about 40 per cent. And when we come to take the percentage of our revenue it is still more striking. Here we are mulcted 20 per cent. for military expenditure; Hong Kong—the great and important Hong Kong, of which we hear so much—pays only 14 per cent., Ceylon 3·39 per cent., and Mauritius a little over 6 per cent. Now, sir, I think we are entitled to ask what there is in the circumstances of this Colony which should cause us to be treated in this manner. I always thought that, as a matter of fact, the plea for which we should pay so much more than our neighbours was that we had surplus balances and could afford it: Sir, the balances have disappeared, and we have to meet continued years of deficiency and excess expenditure. The Secretary of State puts forward the optimist view:—"I can only repeat what was stated in my Despatch of 13th January last, that the estimated revenue for 1892 compares favourably under most heads with the revenue for 1888, on which the original decision as to the amount of the contribution was based." Well, Sir, I do not know how his Lordship arrives at that conclusion, unless it be by the way in which the accounts of this Colony are kept, which was commented upon by my honourable friend at the last meeting, in regard to some items which private individuals would certainly treat as capital; I mean money derived from the sale of lands and so on. Whether such items as these would have any bearing I cannot tell, but I venture to say that the view of his Lordship in that despatch is not shared in by any person in this Colony, and we who live and work in this Colony are surely as well able to judge of what goes on in this Colony as those who sit at home and only manipulate figures. There is not one here who will not say that we are in a time of very great depression in financial concerns, and that we have by no means reached the worst; and when the time comes for reletting the excise farms, instead of any improvement, we shall, I fear, suffer a loss. Therefore, Sir, I do not think that we should be justified in passing by this subject in the hope that things will improve, and that we shall be better able to pay the demands upon us.

Sir, it is pitiful to see important works abandoned and starvation votes adopted. Sir, I venture to think that that is a mistake. This Colony has reached its prosperity by a liberal expenditure of money in public works and in advances to the native states, if we are not prepared to continue that, we may look to a decadence of the prosperity of this Colony.

Sir, I venture to hope that Her Majesty's Government may still be induced to consider this subject, if not this year, in the next. We have now at the head of affairs at home a venerable statesman who cast to the winds British prestige, and brought down unpopularity upon himself unexampled in British history, in order to do what he considered to be justice to the small community of Boers in the Transvaal; is it too

much to hope that that statesman may do justice to this little Colony here, struggling under the greatest depression, and give us some relief in this time of our greatest want? I beg to second the motion of my honourable friend.

Mr. TAN JIAK KIM:—Sir, as the only representative of the Chinese community at this table, I hope I shall be allowed to say a few words. On an important question like this, I think that every one, from your Excellency downwards to the lowest Government official, will be glad to hear that the Chinese have a voice in a matter of this kind, and I hope I am expressing the sentiments of the Chinese community, that we entirely agree with the remarks which have just fallen from my honourable friend opposite and my honourable friend on my left. If the Colony is to be compelled year after year to pay this heavy Military Contribution, I am quite sure that we shall soon see the surplus revenue of our Colony exhausted, and I therefore, with all deference to Her Majesty's Government, agree with the amendment of my honourable friend opposite.

Mr. VERMONT:—I suppose, your Excellency, I may say something with reference to the Northern Settlement which I represent. The small body of troops that we have there are so insignificant that I am surprised to see that we are placed as paying four-tenths of the sum demanded by the Home Government for our protection. I have been told at this table by a former Colonial Secretary, now gone, that in case of war the garrison at Penang would be withdrawn, and we would be left to our own resources. That being the case, I think it is very hard that we should be taxed for the large garrison at Singapore. I therefore protest against the large amount demanded by Her Majesty's Government for the maintenance of the troops in this Colony.

On the amendment being put, members voted as follows:—

<i>Aye.</i>	<i>No.</i>
Mr. Donaldson.	The Colonial Engineer.
Mr. Bogaardt.	The Colonial Treasurer.
Mr. Tan Jiak Kim.	The Acting Attorney-General.
Mr. Murray.	The Resident Councillor of Malacca.
Mr. Shelford.	The Colonial Secretary.
Mr. Vermont.	The General Officer Commanding.
	The Governor.

The amendment was therefore lost.

Enclosure 2 in No. 24.

We desire to record our protest against the refusal of the Home Government to abate the demand of 100,000*l.* as the military contribution of the Colony.

At the lower exchange now necessary to provide for, it represents over 20 per cent. of the revenue, in place of about 15 per cent. as in 1888, the year upon which the contribution was fixed.

The reserve funds then held are practically exhausted; the expenditure as shown by the Estimates on Works and Roads is reduced to a minimum, the maintenance Votes being insufficient; and the progress of the Colony effectually impeded in almost every direction.

J. M. B. VERMONT.
T. SHELFORD.
G. S. MURRAY.
TAN JIAK KIM.
T. C. BOGAARDT.
A. L. DONALDSON.

Enclosure 3 in No. 24.

STRAITS SETTLEMENTS.—Paper to be laid before the Legislative Council by command of His Excellency the Governor.

A.

REGIMENTAL ESTABLISHMENT of GARRISON of STRAITS SETTLEMENTS.

Royal Artillery.	Royal Engineers.	Infantry.	Native Royal Artillery.	Native Royal Engineers.	Total.
248	86	1,013	120	50	1,519

EFFECTIVES FROM ADJUTANT-GENERAL'S MONTHLY RETURNS.

	Royal Artillery.	Royal Engineers.	Infantry.	Native Royal Artillery.	Native Royal Engineers.	Total.	*
January, 1890 - -	228	43	1,010	15	52	1,348	1,474
February, 1890 - -	406	43	1,010	15	50	1,524	1,342
March, 1890 - - -	278	51	1,010	15	50	1,404	1,339
April, 1890 - - -	255	48	1,013	15	50	1,381	1,327
May, 1890 - - - -	233	34	1,009	15	50	1,341	1,322
June, 1890 - - - -	232	36	1,001	15	49	1,333	1,319
July, 1890 - - - -	232	33	996	15	49	1,325	1,322
August, 1890 - - -	229	34	991	15	49	1,318	1,324
September, 1890 -	231	35	900	15	50	1,321	1,323
October, 1890 - -	230	35	992	15	49	1,321	1,321
November, 1890 -	230	36	992	15	49	1,322	1,317
December, 1890 -	230	35	990	15	49	1,319	1,315
Average -						1,355	1,337
January, 1891 - -	240	42	1,143	15	49	1,489	1,655
February, 1891 - -	361	89	1,142	15	49	1,656	1,334
March, 1891 - - -	256	88	1,143	15	48	1,550	1,330
April, 1891 - - -	258	88	947	15	48	1,356	1,324
May, 1891 - - - -	241	80	945	15	48	1,329	1,326
June, 1891 - - - -	239	80	943	15	48	1,325	1,321
July, 1891 - - - -	240	76	943	15	49	1,323	1,321
August, 1891 - - -	239	75	940	15	49	1,318	1,317
September, 1891 -	237	76	939	15	49	1,316	1,313
October, 1891 - -	234	75	941	15	49	1,314	1,314
November, 1891 -	234	77	935	15	49	1,310	1,312
December, 1891 -	238	75	933	15	51	1,312	1,318
Average -						1,383	1,340
January, 1892 - -	290	92	1,160	15	51	1,608	1,370
February, 1892 - -	254	93	1,159	15	51	1,572	1,620
March, 1892 - - -	254	91	1,160	68	51	1,624	1,395

* These are the figures stated to have been obtained from the General Officer Commanding.

No. 25.

MEMORANDUM by the SINGAPORE BRANCH of the STRAITS SETTLEMENTS ASSOCIATION on the Military Contribution levied by the Imperial Government.
(Received 3 May, 1893.)

1. The Settlements of Singapore, Penang and Malacca, were originally dependencies of the Government of India, but in April 1867, the Imperial Government assumed their charge, and made them a Crown Colony under the title of the Straits Settlements. A Legislative Council was constituted, and upon it was conferred, among other powers, "full power and authority for the raising and expenditure of the public revenue."

2. Since the creation of the Colony, the cost of the Civil Government has been entirely defrayed out of its revenues. In addition it has paid to the Imperial Government an annual sum, as a Military Contribution for its garrison, of 59,300*l.* for the years 1868 to 1871, 51,595*l.* in 1872, and 1873 and of 50,145*l.* from 1874 to 1889.

3. Early in 1890 a despatch was received from the Secretary of State, addressed to the Governor and dated the 13th of December 1889, by which, in addition to claim for loss of exchange and for the construction, maintenance and repair of barracks, military works and buildings, the Secretary of State demanded that the Colony should pay 100,000*l.* a year for Military Contribution.

4. The chief grounds on which the increased claim for Military Contribution was made, were—

- (1.) That it was one of the terms of the constitution of the Colony that the Imperial Government should not be called upon to defray any part of the civil or military government of the new Colony; and

- (2.) That the revenues of the Colony were in such a flourishing condition that they could bear without inconvenience the increased amount.

5. The application of the terms of the constitution of the three Settlements as a Colony is now in issue between the Imperial Government and the Colony. The Imperial Government, on the one hand, allege that they are entitled to claim, and to enforce, through the official majority in the Legislative Council, the payment of whatever sum they deem necessary for the protection of the Imperial and local interests within the Colony; whilst, on the other hand, the Colony alleges that the condition only extended to the payments by her of the expense of protecting her local interests, and did not include an obligation to pay for the protection of interests which are common to the whole Empire.

6. The term, or agreement, that the Imperial Government shall not be called upon to defray any part of the cost of the civil and military government of the Colony, was not incorporated in any formal document, and we are left to discover what it in fact was from despatches and from acts done in pursuance of it.

- (i.) The following quotations will show how the matter was viewed by the Imperial Government shortly before the transfer in 1867, and before the present question arose.

(a.) In the course of a despatch, dated the 11th of May 1865, the War Office wrote to the Colonial Office as follows:—

“I am to request that you will acquaint Mr. Secretary Cardwell that Earl de Grey apprehends that if these Settlements are taken over by the Imperial Government it will not be with a view to hold them as Imperial military stations, but in order to meet the often expressed views of the local community.

“The amount of force to be maintained in them will therefore be determined by the wants and means of the inhabitants, it being a *sine quâ non* condition of the consent of the Imperial Government to the transfer that it is to cast no additional burden on the Imperial Exchequer.”

(b.) In the course of a despatch, dated 28th March 1866, the War Office stated to the Colonial Office that “the sum of 50,000*l.* per annum would probably cover “the total cost of the garrison to be maintained more exclusively for the “military protection of the Straits Settlements.”

(c.) On the 25th May 1866 the Treasury wrote to the Colonial Office stating that “Mr. Cardwell does not consider that the Settlements can be called upon “to incur any charge that may be required for the troops stationed at Singapore “for Imperial purposes, on account of the barrack accommodation.”

- (ii.) For some time after the transfer in 1866 troops were stationed at Singapore, Penang, and Malacca, their chief object being to give confidence to the peaceable inhabitants, preserve internal order, and give security against lawlessness to property in goods, houses, and warehouses. In addition to these troops there was also stationed in Singapore, for Imperial purposes, one wing of a battalion of British infantry, the cost of their maintenance and of their barracks being admittedly an Imperial charge to be paid out of the Imperial Exchequer.

7. Since 1867 the position of the Colony has undergone a complete change. Before 1869, the bulk of the direct English trade to China and Japan did not pass through the Straits of Malacca, but through the Straits of Sund; but the opening of the Suez Canal in that year created a revolution in the commerce of the East. Other events which have contributed to the importance of Singapore as an Imperial station are the supremacy of France in Cochin-China, Annam, and Tonquin, and the great increase in the fleets of France and Russia in the Eastern Seas.

The following table shows the increase in the local and transit tonnage between 1866 and 1888, on the estimates of which year the Imperial Government made their claim for the increased contribution:—

	1866.	1888.
Tonnage entered and cleared in the three Settlements of the Colony (exclusive of native craft)	Tons. 1,661,688	Tons. 9,192,855

It has been ascertained that in the year 1865 (no records for 1866 being accessible) there called at Singapore 28 foreign war ships (including French and Dutch despatch boats of small tonnage); in the year 1888 there called at Singapore 78 foreign war

ships, including also French transports for Indo-China, and vessels of the Russian Volunteer Fleet with troops and convicts for Wladiwostock. Most of the French troopships to and from Saigon now pass through Singapore roadstead without touching, as they arrange to coal at other ports on the route.

8. The following despatch from the Colonial Office to the War Office, dated the 4th May 1888, clearly expresses the view (*see page 55*).

9. On the 13th February 1890 Sir Frederick Dickson, the Colonial Secretary, moved in the Legislative Council to charge the revenue of 1890 with the equivalent of 100,000*l.*, without saying one word in support of it, except that it was done in pursuance of the Secretary of State's despatch. The vote was vehemently opposed by the unofficial members, one of whom, Mr. Adamson, in deprecating the decision of the Secretary of State as to the vote previous to its submission to the Council, declared that such a course "would reduce the Council to a position in which it would be absolutely impossible for any man to take a seat in it." The Governor stated that it was his duty to carry out the Secretary of State's instructions, and the resolution was accordingly carried by seven official to six unofficial votes. Mr. Adamson and Mr. Shelford then moved a resolution protesting against the double demands, and declaring that in no case should the Colony be called upon to pay more than half the cost of the garrison. This was carried unanimously, the Governor holding that its acceptance did not invalidate the vote given by himself and his official colleagues.

10. On the 21st February 1890 the Straits Settlements Association held a large meeting in Singapore to which the public were admitted, and resolutions were unanimously passed in support of the protest of the unofficial members.

11. On the 26th March 1890 a general meeting of the Straits Settlements Association in London unanimously adopted the principle expressed in the protest of the unofficial members.

12. In the year 1890 the *official* members of the Legislative Council, with two exceptions, addressed minutes pointing out the injustice of the increased demands of the Imperial Government.

13. In 1891, the Imperial Government having refused to diminish their demands, the vote for the increased Contribution was brought before the Legislative Council on two occasions, and on each occasion was only carried by the official majority, opposed by the whole of the unofficial members of Council. A public meeting convened by the Straits Settlements Association in Singapore unanimously supported the unofficial members, and expressed its indignation at the way in which the exaction had been wrung from its revenues.

14. On the 25th June 1891 Mr. de Lisle moved the House of Commons to reduce the vote for the Colonial Office by 300*l.*, and called attention to the grievances of the Colony. The Committee divided and the motion was lost. During the course of the debate Mr. Goschen, Chancellor of the Exchequer, is reported to have said that "he did not think that they (the Government) were called upon to retreat from the decision they had taken, but in order to meet the view of the Member for Greenock (Sir Thomas Sutherland), if the revenues of the Colony should decrease, if they were less able to bear this Contribution than they now were, the Government should feel inclined to review the situation."

15. The revenue of the Colony having shown an alarming decline, on the 29th October 1891 a public meeting was again held in Singapore, under the auspices of the Straits Settlements Association, calling attention to the financial condition of the Colony, and asking the Imperial Government to review the situation and to reduce the Contribution.

16. The Secretary of State for the Colonies by despatch to the Governor of the 13th January 1892, refused to relieve the Colony of any part of the Military Contribution, adding that he would be prepared to consider any further report which the Governor might desire to lay before him.

17. The vote for the Military Contribution again coming before the Legislative Council in 1892, was vigorously opposed by all the unofficial members, and carried by the official majority.

18. It is now submitted that the whole question of the Military Contribution should be reconsidered for the following reasons:—

(i.) The Contribution has since 1890 been required to be paid by the Colony in spite of the protests of the majority of the official members and of the whole body of the unofficial members of Council. As the Governor pointed out in a despatch of the 21st March 1890, "The constituted authorities of the Colony have been

" required by Her Majesty's Government to meet a money claim without having had an opportunity of having their views on the correctness and justness of the claim considered. Such a course is, so far as I am aware, wholly without precedent." To require the official members to vote contrary to their convictions, and thus to enforce payment of a Contribution unanimously opposed by the unofficial members, is contrary to the spirit of the Legislative Charter of the Colony, as quoted in paragraph I., and to the principles of the British Constitution. It is to be noted that such a course would be impossible in Crown Colonies, such as Mauritius and others, in which there is an unofficial majority.

(ii.) The condition or agreement on which the Imperial Government chiefly base their claim extended only to the defence of the local interests of the Colony, and was never intended to cover the protection of Imperial interests. The cost of this should be defrayed out of the Imperial Exchequer, and to this the Colony has always been, and is now, ready to contribute. Two points should be borne in mind with regard to this contention :—

(a.) Although the military force in respect of which the Contribution is demanded is primarily intended to defend the coaling station at New Harbour, Singapore, and in a secondary degree the town of Singapore, the Contribution is demanded from the whole Colony, including Malacca, about 110 miles, and Penang, about 400 miles, distant from Singapore. The fixed defences were designed for the protection of the coaling station in New Harbour, the only fixed defence not designed for this purpose being the Fort at Tanjong Katong, which, it should be noted, was built as an afterthought on the representation of the Colony that the town of Singapore would be quite undefended. Although at the present time there are two companies of infantry at Penang, the Resident Councillor of that Settlement has instructions to despatch them at once to Singapore in case of the outbreak of hostilities against any foreign naval Power.

(b.) That the interests to be protected by the military force are chiefly Imperial may be shown by a comparison of the local trade of Singapore from which the Colony directly or indirectly profits, and the Imperial trade which merely passes through the port of Singapore, and from which the Colony cannot be said to obtain any material benefit :—

	£
Local trade in 1886	7,500,000.
Imperial trade in 1886	43,000,000.

" Local trade " means goods landed in Singapore and Penang.

" Imperial trade " means goods which passed through the ports of Penang and Singapore.

(iii.) The following table, which is taken from a despatch of the Governor to the Secretary of State on the 2nd March 1892 shows the Contributions levied on different Colonies by the Imperial Government for military purposes (*see page 51*).

(iv.) Owing to depression of trade and other causes, the revenues of the Colony have declined most seriously. The following table shows the revenue, expenditure, surplus or deficit, in the years from 1888 to 1893, the amounts expended for the Military Contribution and in Public Works being also shown in each year. The year 1888 is given since it is on that that the Secretary of State alleges that the Military Contribution was fixed. It should be noted, however, that the Estimates of Revenue for 1889 must have been in the possession of the Colonial Office at the time when the Contribution was decided upon.

	1888.	1889.	1890.	1891.	Approximate. *1892.	Estimates, 1893.
	Dols.	Dols.	Dols.	Dols.	Dols.	Dols.
Revenue - -	3,858,900	4,409,927	4,269,125	3,826,603	3,640,551	3,635,780
Expenditure - -	3,559,864	3,812,612	3,757,693	4,598,978	4,267,548	3,785,724
Surplus - - -	299,036	597,315	511,432	—	—	—
Deficit - - -	—	—	—	772,375	627,297	149,944
Military Contribution	242,966	242,723	292,493	†1,087,649	†830,112	735,252
Expenditure on public Works.	1,070,201	1,249,426	981,141	795,133	773,962	469,370

* The final figures have not yet been officially issued.

† Includes arrears and loss of exchange.

‡ Includes last quarter of 1891.

Below is given an Abstract of the Expenditure in the year 1888, on which the increased Contribution was demanded, and the estimated expenditure for the present year.

Establishments.	1888.	(Estimates) 1893.
	Dols.	Dols.
*Salaries, allowances, contingencies -	1,160,252	1,507,312
*Pensions -	103,359	118,971
*Revenue services -	48,113	38,012
*Administration of justice -	6,829	10,370
*Ecclesiastical -	979	1,250
*Charitable allowances -	12,970	15,479
*Education -	70,330	92,028
*Medical -	116,080	150,139
*Police -	74,125	103,984
*Gaols -	60,423	59,806
*Marine department -	75,160	69,975
*Postal services -	55,161	86,300
*Rent -	5,146	12,840
*Transport -	71,038	81,455
*Interest -	70,826	58,100
	(1,930,791)	(2,406,021)
Miscellaneous services -	228,254	193,190
Works and buildings -	745,228	257,680
Roads, streets, bridges and canals -	324,973	191,740
Land and houses purchased -	18,979	320
Military expenditure -	242,966	735,273
Native states -	3,016	1,500
Special expenses -	65,644	—
	1,629,060	1,379,703
Total	3,559,851	3,785,724

Items marked thus * are more or less of a permanent character, which cannot be reduced without seriously affecting the efficiency of the colony.

The remainder of the expenditure, it will be noticed, was 1,629,060 dollars in 1888, and 1,379,703 dollars in 1893; so that in order to meet the increased demands for Military Contribution there is in the present year little more than one-third of the revenue to come and go upon, and in framing the Estimates for 1893 his Excellency the Governor has had to reduce the expenditure (excluding the above-mentioned permanent establishments and Military Contribution) from 1,386,094 dollars in 1888 to 644,430 dollars in 1893, in order to meet the increase in the Imperial demands; and the efficiency of the Colony in such improvements as public works, roads, streets, &c., may be said to have suffered to that extent.

- (v.) From the figures above it appears that the deficits for the years 1891 and 1892 amounted to 1,399,672 dollars. In order to meet these deficits it was necessary to absorb almost entirely the reserve balances of the Colony, which on the 1st January 1891 amounted to 1,363,762 dollars, and which were invested under the Secretary of State's instructions specially to "meet emergencies which may arise in the future owing to bad seasons, depression of trade, and other calamity."
- (vi.) A further factor in the question which must not be lost sight of is the fact that the Contribution has to be paid in sterling, and that silver has already undergone and may still undergo a most serious depreciation. Taking 100,000*l.* at 3*s.* 1*d.*, the rate of exchange in 1888, its equivalent, 648,648 dollars, was equal to 16·80 per cent. of the revenue of that year. Taking the 100,000*l.* at 2*s.* 9*d.*, the equivalent, 727,272 dollars, is equal to 20·03 on the estimated revenue of 1893.
- (vii.) Taking the other Eastern Colonies for 1890 (the last year in which their revenues can be traced), it will be found that at the present sterling equivalent their Military Contributions bear to their revenues the following proportions:—

Mauritius	-	-	-	-	6·17 per cent.
Ceylon	-	-	-	-	3·69 per cent.
Hong Kong	-	-	-	-	14·58 per cent.

(viii.) To appreciate the blighting effects of the Military Contribution on the prosperity of the Colony, it is necessary to call attention again to the figures relating to the expenditure on public works set out above. From these it will be seen that whilst 1,070,201 dollars was expended in 1888, and 1,249,426 dollars in 1889, the sum of 459,370 dollars only is set apart in the Estimates of the present year for these purposes. This amount is barely sufficient for the maintenance of existing works, exposed as they are to climatic influences in a manner unknown in Western Europe. Besides important public buildings the construction of which has had to be indefinitely postponed, the reclamation of swamps in the vicinity of towns, drainage works in villages, new roads for opening up the Colony, and new police stations in Province Wellesley, together with other smaller works, have been abandoned, whilst the work on many miles of road actually in course of construction has been stopped. It cannot be necessary to point out the importance of railways, roads and bridges, in opening out a new country to settlement, and yet in the Colony there is not a single mile of permanent railway, and large tracts of country are out of cultivation owing to the wants of roads by which to bring the produce to market. It is a matter to be noted also that this stoppage of public works operates to accentuate the already depressed state of trade; a number of men who would otherwise be profitably employed are driven away, and this again has its depressing effect on the revenues of the Colony.

(ix.) The serious consequences of the Military Contribution on education in the Colony call for especial remark. Although Sir Stamford Raffles in 1823 founded the Institution which now bears his name, with a view to its becoming the University of the East, yet after his death this scheme was abandoned, and the Raffles Institution became merely an English school of an elementary kind. During the past two years the trustees of the Institution and the Inspector of Schools have urged upon Government the immediate importance of providing for the higher education of the Colony by establishing a Government college or high school. There seems no reason why in this respect the Straits Settlements should be behind the neighbouring Colonies, Ceylon, and Hong Kong. The necessity for retrenchment in all directions, owing largely to the Military Contribution, is the main reason why hitherto nothing has been done in this important matter.

(x.) Perak, Selangor, Sungei Ujong, the Negri Sembilan and Pahang, the Native States of the Malay Peninsula, have been raised to their present positions entirely through the help given to them by the Colony, and have received no financial assistance from the Home Government. To have opened so large a market for British capital and manufactures is no mean service to the Empire, and should of itself entitle the Colony to consideration. Owing to the Military Contribution the Colony has not been able to aid in the development of the more backward of these States as she would otherwise have done. Pahang especially requires financial assistance, and in order to develop its resources it is requisite that a railway should be constructed from the West Coast, and that a large sum should be expended in road making and other public works.

19. In conclusion it is claimed that the facts set forth above show—

- (1.) That the Contribution exacted is of an excessive amount, and is obtained in a mode opposed to the principles which should regulate the relations between the Mother Country and one of her Colonies; and
- (2.) That the present financial state of the Colony is such that the payment cannot be continued without grave consequences to her future prosperity.

For the Committee of the Singapore Branch of the Straits Settlements Association.

W. J. NAPIER,
Singapore, March 1893. Honorary Secretary.

No. 26.

ACTING GOVERNOR MAXWELL to the MARQUESS OF RIPON.

(Received December 27, 1893.)

(EXTRACT.)

Government House, Singapore,
November 28, 1893.

ON account of the heavy fall in exchange during this year, it has become necessary to provide \$114,827 in excess of the vote for 1893, to meet the Military Contribution

of 100,000*l*. This has been calculated at the rate of 2*s*. 4½*d*. to the dollar, and it is quite possible that the ruling rate may be even lower (it is at present 2*s*. 4¼*d*.), and that the very large sum now voted may not be sufficient. In connexion with this item I beg to invite your Lordship's consideration of the rider attached by the unofficial members to the report of the Special Committee, protesting against the continuance of the present contribution, which exceeds 22 per cent. of the whole estimated revenue of the Colony. When the Bill was in Committee an amendment was moved by Mr. Shelford and supported by the whole of the unofficial members that the vote should be reduced to \$590,000, in round numbers the equivalent of 70,000*l*. This amendment was defeated, and the vote carried only by the official vote, as on previous occasions.

Enclosure 1 in No. 26.

RIDER.

In agreeing to the report in other particulars, we desire emphatically to protest against the continuance of the present Military Contribution, which, at the low rate of exchange now current, exceeds 22 per cent. of the whole estimated revenue of the Colony.

2. Her Majesty's Government, in the event of these charges pressing unduly on the Colony, as is clearly shown in the present estimates, undertook to re-consider them with a view of modification.

3. We protest against further delay in the fulfilment of their pledge, the finances being thereby placed in a still more embarrassing position, impeding progress and restricting necessary votes.

(Signed) J. M. VERMONT.
T. SHELFORD.
G. S. MURRAY.
T. C. BOGAARDT.
A. L. DONALDSON.

Enclosure 2 in No. 26.

EXTRACT FROM PROCEEDINGS OF LEGISLATIVE COUNCIL.

Friday, November 17, 1893.

On the vote for Military Expenditure.—

The ACTING COLONIAL SECRETARY moved an increase of \$42,100 to the vote for Military Contribution, which it was necessary to compute at 2*s*. 4½*d*., instead of 2*s*. 6*d*. as in the draft estimates, in consequence of the fall in exchange.

Mr. SHELFORD: I beg, Sir, to move, as an amendment to this proposal of the Government, a reduction of the vote to \$590,000, which is, in round numbers, the equivalent of 70,000*l*. This is the amount of the reduction moved last year, being as nearly as possible half of the military expenditure in sterling, and the same as was unanimously accepted by the members of this Council, official and unofficial, in the resolution passed on the 13th February 1890. Even if this concession were made, it would still be a fraction over 15 per cent. of the revenue, the proportion alluded to by the Secretary of State in the Despatch of 5th August, 1891. The Resident Councillor of Penang referred yesterday to the amount we used to pay in former days as \$236,000, and drew a contrast between that and the sum of \$842,100, which is the amount now proposed to be placed on the estimates. I do not intend to go so far back into ancient history, but I proposed to take the last four years, since we have been charged 100,000*l*. per annum. From official figures supplied to me, I find that for 1890 the equivalent of that sum was \$577,633, which is less than the sum I now propose to substitute; in 1891 it amounted to \$622,850; in 1892 to \$667,956; in 1893, with the addition of the vote passed in Council the other day, it is \$744,685; and now it is proposed by the Acting Colonial Secretary to advance the figure to \$842,100—that is to say, 22 per cent. on the estimated revenue of the Colony. Now

Sir, if we take it in another way, and refer to the Despatch of the Secretary of State written in December, 1889, and in which he announced the decision of Her Majesty's Government to levy this increased contribution upon us, you will find that he took it at the rate of 3s. to the dollar. One hundred thousand pounds (100,000*l.*) at the rate of 3s. is \$666,666, being only \$76,000 more than the sum now proposed. I cannot see how, in the face of these figures, Her Majesty's Government can any longer delay to fulfil the public undertaking into which they entered with the Colony, which is stated in the Despatch of 5th August 1891, that "if unfortunately the revenues of the Colony should decrease, if they were less able to bear this contribution than they now are, Her Majesty's Government would be prepared to review the situation." The revenue of the Colony has decreased from \$4,409,927 in 1889 (I have selected that year because that is the year to which the Secretary of State referred in this Despatch of 5th August 1891) to \$3,817,890 estimated for 1894; and it is less than the actual figures in 1888, upon which this contribution was based, viz., \$3,858,909. And, Sir, if I treat in another way the figures selected in the despatch and take the sterling—we are told therein in the 17th paragraph that the revenue in 1889 was 670,000*l.*, and following the present rate of exchange the revenue estimated for 1894 is 453,000*l.*—that is to say, 67½ per cent. less; whilst taking the Treasury exchanges for the year, you have a charge of 15 per cent. of the revenue for 1889, and a charge of 22 per cent. for the coming year. And, with regard to our inability to bear the contribution, the estimates that are before us have shown this more clearly than even was the case last year. My hon. friend opposite referred, for instance, to the Stamp Revenue as being greater, but he will find, by reference to the speech of the Acting Colonial Secretary, it is anticipated there will be a decrease of about \$9,000 in stamps, which are largely the indication of the commercial prosperity of the Colony. [The RESIDENT COUNCILLOR OF PENANG made some observation.] I am not making these statements without care, and I repeat that the Acting Colonial Secretary said that under Stamps there was an estimated decrease of \$8,950.

The RESIDENT COUNCILLOR OF PENANG: For the whole Colony?

Mr. SHELFORD: Certainly; I am speaking of the whole Colony, and not attempting to discriminate Penang revenue.

Sir, there is an item which presses and will press yet more hardly upon us, and it is that of the home charges. In 1891 they amounted to 105,050*l.*, the equivalent in that year being \$647,554. Taking this same sterling amount for 1894—and I am afraid it may be even more—the equivalent at the current rate is \$884,631: that is to say, there is a deficiency of \$237,077 for this Colony to make up in order to meet the expenditure at home. Now the difference between the \$842,100 asked for by the Acting Colonial Secretary for the Military Contribution and my amendment of \$590,000 is \$252,100, so that if Her Majesty's Government grant the concession for which we continue to press, it will be no more than sufficient to cover the additional sum necessary to provide for our home charges. There will be nothing to provide for those local works which, as His Excellency pointed out, are indefinitely postponed, or for the general improvement and progress of the Colony. There will be nothing to provide for those postal services to which my hon. friend just now referred. Surely, on their own grounds, it is impossible for Her Majesty's Government any longer to resist the contention of the Colony that we are less able to bear the contribution which is laid upon us than when first imposed and when the revenues of the Colony showed some elasticity. Sir, on the other point of view from which objections are taken, there appears to be no use in offering further argument. We have not been provided with any details of further correspondence on the subject; and that is one of our grievances that all the representations from this side receive no notice, and we are simply told that it is under the consideration of Her Majesty's Government. Whether it is desirable that an arrangement should be come to by which this Colony, instead of contributing a sterling amount, should contribute a percentage of its revenue I do not know, but there would be this advantage—that in our days of prosperity we should be the better able to assist the Imperial Government, and the soreness arising from this feeling of unfair treatment would be removed.

Mr. DONALDSON: Sir, I beg to second the motion of my hon. friend. The figures he has adduced and the Budget before us show that what we now ask is not a favour, but an act of justice and the fulfilment of a solemn promise. I do not intend to go into that matter at length, but there is another consideration which occurs to me, and must have occurred to others at this table. The political outlook all over the world, and here in particular, tends to show that the question of the defences of Singapore is not on

quite the same footing as when this proposition was made. In the early days of the correspondence on the question of the amount of our Military Contribution, the ground taken by the Home Government was that the question of our contribution was a matter of bargain between the Home Government and the Colony, and they scouted the idea that the defence of Singapore was, in any great sense, an Imperial question. Now, Sir, I think these events show that that is very far from being the case now. I think I should have the hon. and gallant General Officer Commanding the Troops with me when I say that, at the present time, if Singapore had neither commerce nor coals, it would be as absolutely necessary for the Imperial Government to undertake its defence as that of Aden or Gibraltar. We were told in those days that all we had to look at was the protection of the trade of the place, and the coals for the use of those vessels engaged in it, and the forts we had erected, with a certain number of troops, would be sufficient to protect us from the only danger then to be apprehended—that of a passing squadron, and this being so, the whole of the expense should be borne by us. Now, Sir, that is very far from being the case at the present time. We have been told that any attack upon Singapore is out of the question so long as we had our Navy, and it had the command of the seas. Now, Sir, we have lately had our attention very much drawn to the ostentatious fraternisation of two great nations having possessions and fleets in this part of the world—a circumstance of which the newspapers have been full. Now, I think I am right in saying that these two nations have in these waters two ships to our one, and if that be so, where is our command of the seas? And if Singapore is to be attacked, we shall not have the choice of time, and the disparity of numbers will be very much greater than in times of peace. Therefore we are not right in depending upon our having the command of the seas, and that being so, we have certainly other dangers to look for than we had in those times, and it appears to me that the position of Singapore is of greater importance to the Government than ever it was. It is an outpost of the Indian Empire, and the defence of Singapore is not a local question, but an Imperial and Indian one of the most vital importance. I do hope, therefore, there will be no more haggling as to the most that we can be got to pay and the least that can be given us for it. The question has gone beyond the additional 30,000*l.* demanded by the Imperial Government, and I trust that measures will be taken to make Singapore secure irrespective of any question of the amount the Colony can be made to pay.

The OFFICER ADMINISTERING THE GOVERNMENT: I am not without hope that this question may yet be settled by Her Majesty's Government in a way satisfactory to this Colony, in view of the great fall in silver and the consequent very great sacrifice entailed upon the Colony, which was not anticipated. In the meantime, I can only say that the Government has a duty to perform under the orders of the Secretary of State, and that I cannot reduce the amount placed on the Estimates.

The Committee divided on the amendment:—

<i>Aye.</i>	<i>No.</i>
Mr. Donaldson.	The Acting Auditor-General.
„ Bogaardt.	„ Colonial Treasurer.
„ Murray.	„ Attorney-General.
„ Shelford.	„ Resident Councillor of Penang.
„ Vermont.	„ Acting Colonial Secretary.
	„ General Officer Commanding Troops.
	„ Officer Administering the Government.

The amendment was lost. On the original motion members voted:—

<i>Aye.</i>	<i>No.</i>
The Acting Auditor-General.	Mr. Donaldson.
„ Colonial Treasurer.	„ Bogaardt.
„ Attorney-General.	„ Murray.
„ Resident Councillor of Penang.	„ Shelford.
„ Acting Colonial Secretary.	„ Vermont.
„ General Officer Commanding.	
„ Officer Administering the Government.	

The motion was carried.

J. HENNIKER HEATON, Esq., M.P., to COLONIAL OFFICE.

[Answered by No. 28.]

MY LORD,

House of Commons, S.W., February 10, 1894.

DURING my recent visit to the Straits Settlements I was requested by certain gentlemen of high character and position to bring before the Home Government, and if necessary, before the British public, the grievance of the Colony in respect of the excessive military contribution exacted from it by the Colonial Office.

The case of the colonists appears to be so strong, the injustice meted out to them so glaring, and their dissatisfaction so pronounced, that I have no hesitation in laying the matter before your Lordship as one of grave urgency and importance.

The history of this contribution is a short one. When the Straits Settlements were in 1867 constituted a Crown Colony, a "Legislative Council" was created, with "full power and authority for the raising and expenditure of the public revenue." Down to 1889 the Colony paid some 50,000*l.* a year to the Imperial Government as a military contribution towards the cost of the British garrison.

Early in 1890 the Imperial Government demanded that the contribution should be raised to 100,000*l.* The Governor and the official members of Council, seven in number, were bound by this demand, and carried a vote for the increase against the unanimous votes of the six unofficial members. At the same time the officials expressly intimated that they were voting against their own convictions, and the Governor wrote to your Lordship's predecessor, protesting in the strongest terms against the imposition of so large a sum upon the impoverished taxpayers. All protests were, however, unavailing. Year after year the same farce has been enacted. The official members carry the vote by a bare majority, as a matter of duty, or discipline; subsequently relieving their consciences in verbal and written protests against the course dictated from England.

I contend, first, that the Colony ought not to be thus heavily taxed; and secondly, that even if it ought to pay, it is quite unable to do so.

The garrison at Singapore is maintained for Imperial purposes, namely, for the protection of our coaling station there, and not for the defence of the Colonial territory. The country is poor; there are no mines, manufactures, or productive industries, and five-sixths of the trade of the ports of Penang and Singapore merely pass through them on the way to China and other countries. The Imperial importance of Singapore lies in its situation as a coaling base for our Navy, and for the never-ending swarm of our merchant ships steaming into the ocean from the Suez Canal. Obviously, therefore, the garrison should be maintained mainly from Imperial, and not, as at present, mainly from local funds.

At the same time the island of Singapore itself has to be protected; and the colonists are perfectly willing to contribute a fair and full proportion of the total cost of the garrison on that account.

The local revenue began to fall just after the military contribution was doubled, in 1890. In that year there was a surplus of \$511,000. In 1891 there was a deficit of \$772,000 (partly due to loss of revenue, partly to the doubling of the contribution); in 1892 there was a deficit of \$627,000 and in 1893 of \$150,000. The diminished deficit does not show improvement; for the revenue continues to fall: it is smaller because the expenditure is less.

One result, to my mind deplorable, and even scandalous, of the exaction of the extra 50,000*l.* from this poor Colony is, that all public works have had to be stopped. Buildings required for the promotion of trade stand half completed; roads end in the jungle, half-way to the intended terminus; railways long planned, and urgently called for, exist only on paper. The total cessation of public works, of course, reacts on the prosperity of the country. There is less money to spend, less employment for the industrious Chinese immigrants who would be so useful in opening up the outlying districts. Every shilling is appropriated for the contribution; and not only have the reserve funds been already swallowed up, but the Secretary of State has even directed that no extraordinary expenditure is to be attempted. The work of education is checked; the Colony bids fair to relapse into primitive poverty and savagery.

After this how can we any longer dwell on the fancy picture of a benevolent mother country, cherishing her offspring as the pelican does its young? How shall we avoid a comparison with those unnatural creatures which actually devour their young?

I would with deference, but firmness, urge that the official members of council should be absolutely untrammelled with instructions as to their votes. In other words the Colony should be allowed, in the plain language of the document creating the Legislative Council, "full power and authority for the raising and expenditure of the public revenue."

The gross injustice with which the country is treated appears from the fact that the garrisons of Jamaica, the Windward Islands, the Bahamas, West Africa, Gibraltar and Cyprus do not cost those Colonies a farthing. For the Malta garrison the Maltese are charged 12s. per head. But the people of Singapore pay for their protectors 84l. per head.

Numerous meetings have been held, at which indignant protests against this tyranny have been recorded; the matter has been discussed in Parliament; and the local officials have sent home reams of animated and fearless remonstrance: but all to no purpose.

Now a sullen feeling of resentment glows throughout the settlement; and there is talk of a simultaneous resignation of all public offices. The colonists do not see why they should not emulate the sturdy quakers who refused to pay tithes. What a ridiculous fiasco would thus come about! That I do not speak at random will appear from the following language of the Governor in one of his late despatches to the Colonial Office:—

"Have Her Majesty's Government counted the cost of estranging such a feeling as I have described? Yet if the present policy of exacting, on the grounds that have been stated, such a heavy contribution as that now levied is persisted in, such must be the inevitable and deplorable result, and its effects will I fear be felt for many years to come in regard to all matters in which Imperial and Colonial interests are likely to come in contact."

I will not add a word to this solemn warning—such a warning as was sent to the Ministers bent on taxing the American Colonies unjustly. I prefer to believe that the injustice here exposed exists only through departmental inadvertence; and that there is no deliberate intention to trifle with the loyalty of a settlement which has repeatedly proved its patriotic devotion to the crown, and the British connexion.

To take only one evil arising from the policy against which I am protesting the injury to the educational interests of the people. The Straits Settlements constitute the only British Colony in the East in which nothing has been done for Secondary Education by the Government. Hong Kong, Ceylon, Mauritius, each has its Government College. Over and over again has the want of such an institution been brought to the attention of the Colonial Office, but in vain.

The present condition of education is more than scandalous; it is positively dangerous. There is a large population, partly Eurasian, partly English-speaking Chinese, which is dependent on the public schools for instruction. And the very men who impart elementary instruction have to be responsible also for Secondary or advanced education.

The Government pays a fee for each pupil passing in any "extra subject." The consequence is, that a crude system of "cramming" flourishes, that a certain proportion of the scholars are superficially cultivated, and that the elementary education of the mass of them goes to the wall. The children are growing up by thousands ignorant, neglected and dissatisfied. The shrewd Chinese are beginning to lose their old faith in British justice and liberality, and this is a feeling of sinister omen, which may rapidly and permanently affect our relations with the neighbouring Celestial Empire itself. To crown all, it is now announced that even the Government grants for "extra subjects" are to be cut down fifty per cent. in order to swell the military contribution.

The education of a whole Colony is to be sacrificed in order to add a few hundreds to a British Budget!

Few Englishmen can realise this condition of affairs without a blush of shame. And I confidently appeal to your Lordship's sense of justice, and regard for the honour of our country, to put an end to such abuses without a day's delay.

I have, &c.

(Signed) J. HENNIKER HEATON.

No. 28.

COLONIAL OFFICE to J. HENNIKER HEATON, Esq., M.P.

SIR, Downing Street, February 17, 1894.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 10th instant,* on the subject of the military contribution of the Straits Settlements, and to inform you that your representations will be communicated to the Treasury and War Office as the question is now being considered by Her Majesty's Government.

I am, &c.
(Signed) EDWARD FAIRFIELD.

No. 29.

The MARQUESS OF RIPON to Sir C. B. H. MITCHELL.

(Extract.) Downing Street, February 24, 1894.

YOUR predecessor, in the second paragraph of his Despatch of 30th November 1892,† made certain suggestions for reducing the cost of the garrison at Singapore, which have been carefully considered by the Secretary of State for War and his military advisers.

I am now informed by him that, with every wish to meet as far as possible the views of the Colony, he has with regret been forced to the conclusion that it is not practicable to reduce the numbers either of the staff or of the Royal Engineers, or to substitute a regiment of coloured troops for the line regiment.

As the military authorities are not prepared to recommend a reduction in the numbers of the British troops at Singapore, the raising of a native contingent would only entail additional expenditure.

It has been explained that the establishment of Royal Engineers was not (as seems to be implied in Sir Cecil Smith's despatch) calculated with reference to the construction of the defensive works at Singapore, but with reference to submarine defences and to the maintenance of works and barracks, in accordance with the agreement of 1889, by which such duties, previously performed by the Colony, were transferred to the Imperial Government.

No. 30.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received July 23, 1894.)

Government House, Singapore,
My LORD, June 25, 1894.

I HAVE the honour to enclose, herewith, a communication which I have received from Mr. Huttenbach on the subject of the Military Contribution. There can be no doubt, I think, that the fixing of the contribution in dollars would be of great use to the Colony, as enabling the Government to prepare its estimates and make its plans with something like exactitude, but I fear that the Lords Commissioners of the Treasury will hardly deem this, however vital it may be to the Colony, as of any weight, in view of the Imperial Government forecast of revenue being thereby rendered somewhat dubious as regards the exact sterling amount of the Military Contribution to be expected from the Straits Settlements.

I have, &c.
(Signed) C. B. H. MITCHELL.

Enclosure in No. 30.

Mr. HUTTENBACH to the COLONIAL SECRETARY.

Sir,

Singapore, June 19, 1894.

I BEG to enclose a Memorandum, embodying my views on the "Military Contribution" question, which I shall thank you to lay before His Excellency the Governor.

I have, &c.

To the Hon. William Maxwell, C.M.G.,
Colonial Secretary, S. S.

(Signed) A. HUTTENBACH,
Member Legislative Council, S. S.

MEMORANDUM on the Military Contribution Question of the Straits Settlements.

Having only recently been appointed a member of the Legislative Council of this Colony, I feel a desire, as the decision of above question is still pending, to lay my views on this important matter before the Government.

2. My views, which are somewhat different from most, if not all, of my unofficial colleagues in Council, past and present, have been arrived at on the following reasonings.

3. The origin of the question at issue is the despatch of the Secretary of State of 13th December 1889.

In this despatch, much pains is taken to base the claim of 100,000*l.* on certain obligations alleged to have been entered upon by the Colony at the time of its transfer.

4. The question was for the first time before Council in February 1890, and at that time, and ever since, the unofficial members of Council have as eagerly tried to show that the agreement entered upon is different, that it is wrongly interpreted, and that there are certain counter claims which can be used as a set-off.

5. The controversy centred round the point as to what were, or were not, the terms and obligations of the agreement.

The one party maintained that by agreement this Colony is bound to pay 100,000*l.* and more; the other party repudiated the claim.

6. I beg to differ from both parties. I look upon the agreement and its terms, whatever they may be, as altogether immaterial. I am led to think so on account of the fundamental principles on which, I take it, the relations of a Colony to the mother country are always *à priori* based, and which principles would, or should, when necessary, always supersede any agreement.

7. The principles I am sanguine enough to believe rest on the tacit understanding that the interests of Colony and mother country are always as much as possible identical, and that there is a desire of mutual support and reciprocity. When such feelings really do exist, no question will be decided on the mere merits of an agreement or of accounts, but on the lines of utility, expediency, and equity.

8. The decision of the Secretary of State regarding the compensation for salaries of civil servants of the Colony, with which decision I entirely agree, seems to me to be based on exactly the same lines of reasoning and justice.

According to their contract, the officials can only claim certain salaries in dollars, and no more. But these contracts have turned out to be a mistake, and no more fair to both sides, and consequently other arrangements are made and the contracts are ignored.

9. The same state of things exists as regards this Colony and United Kingdom in reference to the Military Contribution. The amount to be paid from time to time should depend on the whole of the circumstances, not what is agreed upon, but what is at each given time equitable, reasonable, and fair to both parties.

10. I therefore stand outside altogether of the controversy of the past; but I regret the bitterness it has created, and the ill-feeling towards the mother country and her statesmen it has nursed, and which, undoubtedly, still exists.

11. If my premises are accepted, the only point to be determined would be how to arrive at the amount payable by the Colony on the basis of above principles. This Colony should be anxious to pay as much as possible and expedient.

The mother country should not only wish, but only allow, us to pay as much as can be done without harm to our prosperity, present, and future, and on a system which allows us a certainty to keep our finances in a state of order and fixity.

12. This, I venture to say, can only be done by the contribution being fixed in dollars, and not as at present intended in sterling. We have no sterling. Our whole revenue is in dollars. Any demands of the Secretary of State for defences, to be equitable, can only be based on a certain portion, large or small, of our revenue. An amount fixed in sterling can hardly ever express that; it can only be done in dollars.

13. Our revenue is, roughly speaking, 4,000,000 dollars, and assuming for argument's sake, that 20 per cent. would be a fair proportion, the amount of contribution then would be 800,000 dollars. Converted into sterling, this would be to-day roughly 85,000*l*.

But, owing to the uncertainty of the value of silver, it is altogether problematic what our revenue or a proportion thereof would represent in gold at a future date.

Exchange may go down to 6*d*.—it is not likely, but it is possible—and then our whole revenue would only represent 100,000*l*. It might also, should exchange rise to 4*s*., represent as much as 800,000*l*.

If contribution were fixed at 85,000*l*. it might mean on one day 85 per cent. of our revenue and on another day 10 per cent. only. A contribution to be paid in sterling can therefore never be equitable to this Colony.

14. It can also, in such a case, never be expedient. Should exchange decline considerably, we would not be able to meet sterling obligations of any consequence, and would for certain be unable to pay the contribution as at present contemplated. It is certainly of as much importance to the Secretary of State as to this Colony that the arrangement arrived at should be one which can be carried out with certainty. Such certainty can only be achieved by fixing in dollars.

15. Likewise, will this Colony only be able to make a budget, or anything approaching it, if the amount is fixed in dollars.

If not, any budget will always be a matter of the greatest uncertainty and can never be depended upon. With such an uncertainty, all government will become extremely difficult. Not knowing what the next day may bring, an administrator will become of necessity very timid and afraid to sanction expenditure which may be indispensable for the ordinary progress of the Colony.

16. If the mother country takes any interest at all in the welfare of this Colony, such interest will manifest itself in first line in a desire to see us having order in our finances, and such order, it is evident, is a matter of impossibility unless the contribution is fixed in dollars. And it is noteworthy that the feeling of bitterness and desperation about this question has increased in intensity in proportion as exchange has declined.

17. The point that contribution is to be paid in dollars once conceded, the next question is, as to what would be the right and fair amount. What is the amount which, while doing the greatest possible justice to the interests of the British taxpayers, does not weigh too heavily on the resources of this Colony?

18. I have already stated in Council that, provided the amount is fixed in dollars, so that we know where we are and can arrange accordingly, I am not so much concerned about the amount being a couple of hundred thousand dollars more or less. It appears that I have displeased thereby many and laid the seeds for my unpopularity. However, that does not matter. But having thus given a proof that I will fearlessly at all times express what is my opinion, I will now all the more readily be believed if I state as my candid conviction that the smaller the amount agreed upon, the more it will be to the interests of the British taxpayers.

19. This may appear a paradox, but it is correct. A few thousand pounds a year go a long way out here. They are but of slight importance to a large and wealthy country as the United Kingdom.

Any spare money we have out here can always be used to foster and increase trade and open up new fields for British manufacture.

There is yet a lot to be done in that direction. At present, anything of that sort is quite impossible, and it is a coincidence which should cause reflection that the total of the trade of this Colony, formerly always on the increase, has since the sudden increase of the military contribution rather been on the decline or stationary. There has been no more progress whatever ever since. The trade returns prove this.

20. The smaller, therefore, it appears to me, the amount of the contribution, the greater the chance of our increasing and adding to that trade by which the British taxpayer benefits. A moderate contribution is certainly to the advantage of this Colony, but it is undoubtedly also to the advantage of the mother country, especially so, as all expenditure is subject to the veto of the Secretary of State, who can thus

make sure that the sums saved by reductions are laid out only in the above direction.

(Signed) A. HUTTENBACH,
Member, Legislative Council,
Singapore, Straits Settlements.
June 19, 1894.

No. 31.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received July 26, 1894.)

[Answered by No. 35.]

TELEGRAPHIC.

Deputation representative of Colony has asked that I would urge on your Lordship grave importance immediate decision in case of military contribution.

No. 32.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received August 27, 1894.)

[Answered by No. 35.]

MY LORD, Government House, Singapore,
July 30, 1894.

WITH reference to my telegram of the 26th instant,* I have the honour to enclose copies of the "Free Press" report of what took place when I received a deputation of unofficial members of the Legislative Council and of the Straits Association, who wished to lay before me their views respecting the delay on the part of Her Majesty's Government in coming to a decision on the question of the Military Contribution.

2. I think there can be no doubt that there is a wide-spread feeling of irritation in the community on this question. The leading English and Chinese inhabitants fail to see why a reply should have been so long postponed, and I regret that I was not in a position to give them satisfactory reasons for the postponement.

I have, &c.
(Signed) C. B. H. MITCHELL.

Enclosure in No. 32.

THE MILITARY CONTRIBUTION.

DEPUTATION from the STRAITS SETTLEMENTS ASSOCIATION to His Excellency the GOVERNOR.

A deputation of the unofficial members of the Legislative Council and members of the Straits Settlements Association (Singapore Branch) waited by appointment on his Excellency Sir C. B. Mitchell in the Council Chamber at 2.20 this afternoon (26th July).

The deputation consisted of:—Hons. T. Shelford, A. L. Donaldson, T. C. Bogaardt, and Seah Liang Seah, Messrs. C. Stringer (President), Drew, Napier, Nanson, St. Clair, Braddell, Anderson, Gentle, Khory, Blair, Frazer, Frizell, Buckley, Reith, Robinson, Butt, Gunn, Joaquim, Tan Jiak Kim, J. J. Macbean, W. Hutton, M. Meyer, J. K. Moir, J. Burkinshaw, King.

The Hon. T. Shelford, in introducing the deputation, said it was composed of the leading members of the Singapore Branch of the Straits Settlements Association and was fairly representative of the community. They were desirous of soliciting the assistance of his Excellency to bring once more to the notice of the Home Government the necessity for arriving at an immediate decision as to the incidence of the Military Charges. They were perfectly well aware that the delay could not be traced to any action of the local Government, and his Excellency himself had been in communication with the Colonial Office with the object of securing an early decision. So far as was

known to the public, these efforts had been without success. From private advices they understood that there was a prospect of a concession being granted and the delay of announcing it was inexplicable to them. He understood the deputation desired, if his Excellency was satisfied with the statement of the case laid before him by the Honorary Secretary of the Association, that his Excellency should once more wire to the Colonial Office representing the anxiety and intense feeling existing here. Parliament would be prorogued in a week or so and it was thought desirable, before the Ministers disperse for the holiday, to try once more to induce them to arrive at a decision, which had been already too long delayed.

Mr. Napier.—In addressing your Excellency, I should like first to make clear the spirit in which this Association is acting, because I find in certain quarters among the garrison an idea that the agitation in which we are engaged is directed in a hostile spirit to them, a feeling, in other words, that they are not wanted. It is most desirable that this idea should be dispelled, that the garrison should be assured that we recognise fully their services to the Colony, and that our only question is with the Imperial Government as to how the expenses of maintaining them should be borne.

The Governor.—Is there anyone in the garrison so foolish as to make the question a personal one? I do not think that is an argument which need be discussed.

Mr. Napier.—It is because I have personally heard it advanced that I refer to it. We claim that when the question of defending the Imperial coaling stations abroad arose, this Colony took the lead of the other Colonies in its willingness to co-operate, and certainly it is a fact beyond dispute that our fortifications were ready long before the armament was provided by the Home Government. This brings me to my first point, that the garrison is maintained for Imperial purposes, and that this should be recognised in apportioning the expense between the Colony and the Mother Country. At the time that these settlements were erected into a separate Colony the trade was comparatively small, the bulk of the trade to the Far East not passing through the Straits of Malacca, but through the Straits of Sunda. The opening of the Suez Canal, the increase in the power of Russia and of France in the East, has converted Singapore into the principal coaling place of the navy in the Eastern seas, as well as a coaling station for the whole of the Far East. It was in the beginning of 1890, just after the estimates for 1889, the revenue for which year was \$4,409,927, as against \$3,818,170, the estimated revenue for the present year, that orders were received from home that our military charges were suddenly to be raised from 50,145*l.*, to 100,000*l.* Upon what basis this was made it is impossible to say, but we maintain that it is an unjust charge. If, by an agreement with the different Colonies, the Imperial Government had levied a charge on some principle, there would have been something to say in favour of the levy, but, when we look at the contributions made by other Colonies, we can find no such principle. Jamaica, Cyprus, and Gibraltar pay nothing towards the troops quartered there. Hongkong, with a force about double ours, pays 40,000*l.* or 14*l.* per man, whilst the Straits Settlements has the dubious honour of heading the list with a contribution of 100,000*l.* and which makes a charge of 66*l.* per head. The only principle, if principle it can be called, on which our contribution is based, was our supposed power of payment, rather than the justice of the demand. The next point, Sir, to which I desire to call your attention is the declaration of Mr. Goschen in June 1891, when he is reported have stated in the House of Commons that "He did not think that the Government were called upon to retreat from the decision they had taken, but in order to meet the view of the Member for Greenock (Sir Thomas Sutherland), if the revenues of the Colony should decrease, if they were less able to bear this contribution than they now were, the Government should feel inclined to review the situation."

In 1891 commenced the decline in the revenues of the Colony, a decline which has been going on since, and this was following by the decline in the price of silver. The following figures show how hardly these declines have affected the incidence of the military contribution on the Colonial revenues. Taking 100,000*l.* at 3*s.* 1*d.* the rate of exchange in 1888, its equivalent \$648,648 was equal to 16.80 per cent of the revenue for that year. Taking the 100,000*l.* at 2*s.* 1*d.*, to-day's rate, the equivalent, \$960,000 is equal to 25.14 per cent. of the estimated revenue of the present year. Since 1891, this Association, in London and here, has never slackened its attempts to gain from the Government the fulfilment of the promise made by Mr. Goschen on their behalf. In May last year, an influential deputation waited upon Lord Ripon, and in reply he made the significant declaration, "The three years have elapsed for which the arrangement was made in 1890, and the time is fully come for the reconsideration of the terms then made. All I think I can say to-day is that the consideration shall not be a mere formal

“ consideration, but, so far as I can make it, a real consideration of the circumstances of the Colony at the present time and the present position of the whole affair.”

That declaration was made more than fourteen months ago and we still await the result of the consideration. A question was asked in the House of Commons in September last by Mr. Hanbury—*the question was under consideration*. Mr. Henniker Heaton addressed a letter to Lord Ripon in February, asking his Lordship, to use his words, “to put an end to such abuses without delay.” *The question was under consideration*. In the same month, Sir John Gorst put another question in the House of Commons—a report of a Departmental Committee has been drawn up but *had not yet been considered* at the Colonial Office. Last month your Excellency stated in Council that you had received a telegram that *no decision had been arrived at*, whilst on Monday last we received an intimation from home that Sir Thomas Sutherland, putting another question in the House of Commons, had only elicited the stereotyped reply—*the question is still under consideration*. This last intimation caused us to ask your Excellency for an interview, and we now seek your assistance. The form that we now suggest the assistance should take is a telegram to the Secretary of State to-day. The Imperial Government seems to think that it is sufficient to consider the question. The Colony asks for more—a reply. We claim that we are entitled to an immediate answer and to a substantial reduction, and that of no temporary nature. The importance of an early reply is, I imagine, only too present to your mind. With uncertainty as to this, the difficulty of framing a budget must be largely increased and this uncertainty is shared by the whole community. I have not alluded, and do not intend to allude, to the constitutional aspect of the question, but your Excellency must not think this is forgotten or that it has ceased to rankle in our minds. Mr. Adamson, addressing Lord Ripon in May last, said:—“I have no hesitation in saying that the events of the last three years have caused a feeling of resentment on the part of the inhabitants and an estrangement which is much to be regretted.”

The events of the last fourteen months have not altered this feeling for the better. To put it mildly, the Colony does not feel that it is being treated with the consideration to which its services to the Empire entitle it. We ask, then, that your Excellency should telegraph to the Secretary of State for the Colonies, urging upon him to settle the question at once by granting a reduction of a permanent and of a substantial nature.

His Excellency the Governor, in reply, said the very full way in which they had placed the matter before him demanded something more than the very few words which he had at first contemplated giving them, as he had understood at the time he agreed to receive the deputation that it would consist of two or three of the citizens only. He did not know, however, that having heard what had been so excellently said that they had made known to him anything with which he was not acquainted before. The grievance was no new one, and he could say that he sympathised with them thoroughly and entirely in what had been said on the subject of—he might almost say—their discontent that this question had not been settled more speedily. He would even go further than that. He could say, from what his chief, the Secretary of State for the Colonies, had told him before he left England, that he must also feel discontented that this question had not been settled before. But as they all knew, the Secretary of State for the Colonies was only one of a body of men who had to settle all these great State questions. The paramount factor in all Cabinet questions of this sort was the Treasury, and he thought he should not be going too far in saying that the Treasury had been the stumbling block, hitherto, to the settlement of this question. They must not blame the Secretary of State. They were all apt to blame their chiefs when things did not go exactly as they wished them to go, and he knew, from his own personal knowledge, that he had left no stone unturned to get this question settled. As they knew, a Departmental Committee was appointed last year which, when he left England, had nearly concluded its deliberations. He knew also that these deliberations were not concluded quite so soon as it was thought they would be. The whole question since then had been under consideration by Her Majesty's Government. He had left no stone unturned,—as he had thought it his duty to get the question settled,—and he should leave no stone unturned until the question was finally disposed of. On the 18th instant, he had telegraphed to the Secretary of State begging for early information to be given him on that question, but to that telegram he had received no reply as yet. He did not think therefore that there would be any advantage in sending another telegram before he received a reply, but, if they pressed it upon him, he should not refuse to send another telegram. As they knew, however, it was undesirable to spur a willing horse and he believed the Colonial Office to be a most willing horse at this moment, and that the Colonial Office would eventually carry them through. There were a great many

matters to be taken into consideration in dealing with this question, but he quite admitted that this Colony was in a worse predicament than those other Colonies which had been mentioned. He hardly thought, however, the Colonies of Gibraltar and Cyprus were cases in point. Jamaica was also mentioned and he thought Jamaica was a case in point, as it had a revenue exceeding ours, and had had for many years a number of troops very nearly approaching ours, and, unless he was misinformed, Jamaica had never paid a solitary penny for them. He thought Jamaica was only a second-class coaling station, but he knew that this was a first-class coaling station, and he thought, therefore, for that reason, if for no other, that the Imperial Government should help them to bear this burden more than they did. It was, perhaps, a little indiscreet for him, as representing Her Majesty's Government, to express himself so frankly but he felt strongly on this question and he did not hesitate to express his opinions there any more than he had done to the Secretary of State before he left England. Allusion had been made to the amount the troops cost. It was found in the return at 136,000*l.* but in a note he had had a day or two ago it was put at 154,000*l.* How the difference arose he did not know, but that was the last statement on the part of the military authorities at home. He did not know that he could say anything more on the subject. He thought it would be unwise to send another telegram after the one he had already sent. It would look as if their patience were entirely worn out, and he did not think their patience was entirely worn out. He thought they might bear this burden for a little while longer, and trust that the matter would be settled without their having to bombard the Colonial Office with telegrams. He would, however, have great pleasure, as the reporters were present, in forwarding a copy of the report of what had passed there with his Despatch on the subject.

Mr. Stringer, as President of the Singapore Branch of the Association, desired to thank His Excellency for his kindness and cordiality in receiving the deputation and for the expression of sympathy with their case. They would very much like His Excellency to telegraph stating that a deputation had waited upon him, and asking for an answer to their question.

Mr. Shelford.—In a very short time, the Cabinet will be dispersed, Sir, and another telegram might induce the Colonial Office to press the matter on Her Majesty's Government before the Ministers go to the country.

The Governor.—Would a second telegram have any further effect?

Mr. Shelford.—It would strengthen the case if it were known that a deputation had waited upon the Governor.

The Governor.—I will with pleasure do anything I can, but will the second telegram forward your views? I don't think it will.

After some further remarks, his Excellency said he would send a telegram stating that a representative deputation from the inhabitants of the Colony had waited upon him and pressed for a decision to be arrived at.

The deputation then withdrew.

No. 33.

The MARQUESS OF RIPON to SIR C. B. H. MITCHELL.

[Answered by No. 38.]

SIR, Downing Street, November 6, 1894.

I AM now in a position to inform you of the decision of Her Majesty's Government as to the military contribution of the Straits Settlements for the quinquennial period 1894–98.

2. In May 1893 I reminded my colleagues of the fact that with the year then current the arrangement laid down by our predecessors, fixing the contribution at 100,000*l.* a year, would terminate, and drew their attention to the alteration in the situation which had since occurred, owing to the fall in exchange and certain other factors.

3. It so happened that the termination of the first examination of the subject then set on foot by Her Majesty's Ministers coincided in point of time with a further sharp fall, since partially recovered, in the value of silver, which pointed to the possible necessity of reconsidering the conclusions arrived at, and seemed to indicate the expediency of deferring a final decision for some time further in order to observe what course the exchanges would take. It was, however, made plain that for the quinquennial period 1894–98 there must not only be an abandonment of the hope entertained and expressed

in 1889 that the contribution might be increased in 1894, but that some immediate temporary relief in respect of the rate of contribution paid since 1890 might properly be granted to the Colony. These conclusions were especially disappointing at a time when Parliament was being asked to impose fresh taxation on almost all kinds and conditions of persons in a community already taxed much more heavily than the Colony which it was proposed to relieve.

4. Under these circumstances, the Government, in the interests of the Colony, were justified in according the question a close and prolonged scrutiny, a scrutiny which has resulted in its being decided to give the financial relief to the Colony in the years 1894 and 1895 herein-after detailed. I make these remarks because I am aware that the delay in announcing the decision of Her Majesty's Government has given rise to much criticism in the Colony.

5. I now proceed very briefly to set forth the situation which Her Majesty's Government have had before them, and the decision which they have arrived at thereon.

6. Since the transfer of the Straits Settlements from the control of the Indian to that of the Home Government, the Home and the Colonial authorities have frequently been at issue as to the claims which the former is entitled to make upon the latter on account of the cost of its garrison and its defences; with the practical result that while the cost of the garrison increased the contribution received from the Colony decreased, so that the charge for the military protection of the Colony was an ever-increasing burden on the Home Government; a burden from which, in its view of the matter, it should have been wholly relieved by the Colony. In 1889, the Government decided to put an end to this state of things, and to place the question on a more satisfactory footing. Whilst re-affirming the principle on which the transfer of the Settlements was accepted by the Government in 1866, that it was entitled to look to the Colony for the whole cost of its garrison, it confined itself, as regarded the then current year and the four succeeding years, to a demand which amounted to an average charge of 99,000*l.* a year, that is, 86,951*l.* for 1889 and 100,000*l.* for each succeeding year, plus \$8,000 per annum military lodging allowance for all five years, although the total estimated cost of the garrison exceeded 136,000*l.* An intimation was at the same time given that thereafter the Colony must expect that the charge on its revenue would be enhanced. The latest returns of Colonial revenue before the Government were those of 1888, which showed receipts amounting to \$3,858,909, whilst the Treasury rates of exchange for 1889 indicated that such a contribution as was then demanded might probably be discharged by an annual payment of \$650,000 a year, or about 17 per cent. of the Colonial revenue. In the event, it proved that the average annual revenue was \$3,973,000, whilst the military contribution was discharged by an average payment of about \$639,000, involving a charge of a little over 16 per cent. of the average revenue.

7. As regards the whole quinquennial period, therefore, the burden was slightly less onerous than that which the Government contemplated. In the latter months of that period, however, the conditions began to change so rapidly, in a direction adverse to the Colony, that on examining them Her Majesty's Government came to the conclusion that the Straits Settlements had, in the words used by Mr. Goschen in the House of Commons during the debate of 1891, "become less able to bear the contribution" of 100,000*l.* than they were, and that, in accordance with the undertaking given by Mr. Goschen, Her Majesty's Government were bound to reconsider the question. But their view as to the ability of the Colony to bear the former charge must not be taken as applying further than to the immediate future. A careful examination of all the facts relating to trade, shipping, population, and revenue has by no means convinced the Government that, taking the quinquennial period 1894-98 as a whole, the Colony may not be able to bear an average charge of 100,000*l.* per annum, the amounts foreborne in earlier years being made good in later and more prosperous ones.

8. They have therefore decided that the Colonial military contribution shall be reduced to 80,000*l.* and 90,000*l.* for the years 1894 and 1895 respectively, and they have provisionally fixed the contributions for the years 1896-97-98 at 100,000*l.*, 110,000*l.*, and 120,000*l.* This arrangement will give a sensible relief to the Colony for the years 1894-95, and during 1895 a more trustworthy forecast will be possible of the financial conditions that will probably rule the remainder of the quinquennial period.

9. Should unexpected circumstances arise, such as a further material fall in silver, a serious check to, or diversion of, trade, or losses from other causes materially affecting the financial position of the Colony, Her Majesty's Government will not fail to take note of the altered situation, and to consider any representation which the Colony may make as regards the situation generally, and especially as regards the enhanced payments for the later years of the present quinquennial period. In arriving at an immediate decision

on such a question as this, the unexpected cannot be taken into calculation in one direction or another, and, assuming that the conditions remain normal, and that there is a continuation of that moderate expansion in the dollar value of the trade which is already apparent, Her Majesty's Government entertain the belief that the charge above proposed will prove to be a reasonable one. The claim of 80,000*l.* in respect of the current year will be discharged by a payment of about \$729,000, or about \$113,000 less than the sum authorised by the Colonial Estimates and Appropriation Ordinance. If in other respects the Estimates of the current year are realised the anticipated deficit of \$7,968 will be converted into a surplus of \$105,000.

10. As regards the year 1895, I learn from you that the revenue (which has been materially increased by fresh taxation) is estimated approximately at \$3,950,000, and the civil charges, on the expenditure side of the account, at about \$3,075,000. To those charges must be added the military contribution of 90,000*l.*, which, at a probable exchange of about \$9½ to the pound sterling, would bring up the total civil and military charge (excluding any sums voted by way of capital expenditure on barracks) to about \$3,920,000, leaving an estimated surplus of \$30,000.

11. I will not attempt to forecast in any detail the finances of the years beyond 1895, but Her Majesty's Government consider that they are not over sanguine in anticipating that there will be a moderate increase, under various heads, in the receipts of each year, and that, by a steady application of the principles of economy recently formulated by the Retrenchment Committee, the necessary civil charge may be kept down to something like \$3,000,000 a year. It seems, therefore, not too much to hope that the Colony may be able to provide for the military contribution and all civil charges without incurring a deficit on the quinquennial period, and that there will even be a balance on the period as a whole, which balance, together with what remains of existing Colonial balances, the Colony may be able to devote to some extent to the construction of the new barrack accommodation rendered necessary by the increased and concentrated garrison of Singapore, for, as I need hardly explain, the obligation of the Colony in respect to military lands and buildings must, in the view of Her Majesty's Government, continue, as it has existed since 1866, as explained in Lord Knutsford's Despatch of the 13th of December 1889.*

12. Should the Colony prefer to provide for the capital expenditure on barrack accommodation by way of loan, Her Majesty's Government would not object to such an alternative mode of proceeding.

13. With regard to the actual cost of the garrison, it may be as well that I should give the following explanation. In 1888 the Government anticipated that the cost of the garrison would be about 136,000*l.* a year. As the garrison has been usually under its establishment, and as part of the expenditure has been in silver, it might be supposed that the actual charge would have fallen short of the estimate. I am informed, however, that the contrary was the case, and that, owing to the cost of sea transport and other items having been under-estimated, the actual average cost, after converting the silver expenditure into sterling, has been at the rate of 144,000*l.* a year.

14. As regards the quinquennial period now current, the estimated annual expenditure on the basis of an authorised strength of 1,570 is 154,730*l.*, so that, assuming the Home Government makes good its anticipation of receiving 500,000*l.* for that period from the Colony, there will still remain a charge of 273,650*l.* to be borne by the people of this country, who are much more heavily taxed than the people of the Straits Settlements, and who are only able to devote to civil purposes about 36 per cent. of their revenue, as against 80 per cent. or more so available at the Straits Settlements.

15. In thus announcing to you the decision of Her Majesty's Government, I have avoided dwelling upon controversial matter. The question has been already argued out with great ability and mastery of detail in the papers presented to Parliament in 1891 (C.—6290), and in a further series of State papers which will be presented to Parliament together with this Despatch. It seems, therefore, superfluous for me to say more than that Her Majesty's Government desire to associate themselves with the statements of principle and arguments set forth by Lord Knutsford in his various Despatches, and that they reserve all rights claimed by him on behalf of the Home Government should a fuller assertion of them appear reasonable on or after 1899.

I have, &c.
(Signed) RIPON.

* No. 1 in [C. 6290] of March 1891..

No. 34.

The MARQUESS OF RIPON to SIR C. B. H. MITCHELL.

SIR, Downing Street, November 8, 1894.

WITH reference to your Despatch of 25th June last,* forwarding a memorandum by Mr. A. Huttenbach, relative to the military contribution, I have the honour to request you to inform Mr. Huttenbach that I read his memorandum with great interest, but that, as will be gathered from my Despatch of the 6th instant,† Her Majesty's Government have felt unable, on grounds of general policy, to adopt the plan of fixing the contribution in silver.

I have, &c.
(Signed) RIPON.

No. 35.

The MARQUESS OF RIPON to SIR C. B. H. MITCHELL.

SIR, Downing Street, November 9, 1894.

I HAD the honour to receive your telegram of 26th July last, and your Despatch of the 30th July,† reporting that you had received a deputation of unofficial members of the Legislative Council and of the Straits Association, which had laid before you their views respecting the delay which had occurred in settling the question of the military contribution.

I have now to refer you to the 3rd and 4th paragraphs of my Despatch of the 6th instant,‡ in which I have explained the reasons of the delay in settling the question.

I have, &c.
(Signed) RIPON.

No. 36.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received December 10, 1894.)(Extract.) Government House, Singapore,
November 12, 1894.

Military Expenditure :—Your Lordship's telegraphic despatch of the 4th of October,§ authorised me to provide 90,000*l.* as the military contribution for 1895, and this has accordingly been done. But with exchange at 2*s.* 2*d.* the sum to be provided in the local currency is \$830,770 or within \$12,000 of the sum provided in the Estimates for 1894, where the full contribution of 100,000*l.* is calculated at 2*s.* 4½*d.* (\$842,100). I have provided from current revenue for building new barracks at Pulau Brani and Blakang Mati a first vote of \$200,000, and I have also obtained provision for two minor military works, namely, "Water Supply, Tanglin Barracks" \$6,000, and "Raising Butt, Tanglin Rifle Range" \$1,300. All these votes were opposed by the non-official members and were only carried by the official majority.¶ In this connexion I have the honour to call your Lordship's attention to the protests¶ attached to the reports of the two committees on the Estimates.

* No. 30.
§ Not printed.

† Nos. 31 and 32.
¶ Enclosure 1.

‡ No. 33.
¶ Enclosures 2 and 3.

Enclosure 1 in No. 36.

LEGISLATIVE COUNCIL.—Saturday, 20th October 1894.

Present:

His Excellency the Governor (Sir Charles Bullen Hugh Mitchell, K.C.M.G.).
 The Hon. the Colonial Secretary (W. E. Maxwell, C.M.G.).
 „ the Resident Councillor of Penang (A. M. Skinner, C.M.G.).
 „ the Acting Resident Councillor of Malacca (C. W. S. Kynnersley).
 „ the Attorney-General (W. R. Collyer).
 „ the Acting Colonial Treasurer (J. K. Birch).
 „ the Auditor-General (H. Trotter).
 „ the Colonial Engineer (Major H. E. McCallum, R.E., C.M.G.).
 „ J. M. B. Vermont.
 „ T. Shelford, C.M.G.
 „ T. C. Bogaardt.
 „ A. L. Donaldson.
 „ W. C. Brown, M.D.
 „ Seah Liang Seah.
 „ A. Hüttenbach.

Absent:

His Excellency the General Officer Commanding the Troops (Major-General Hugh Thomas Jones-Vaughan, C.B.).

The minutes of the last meeting were read and confirmed.

* * * * *

SUPPLY BILL.

The Council resumed the consideration of the Supply Bill in Committee.
 Turning to military expenditure:—

The *Colonial Secretary* moved the reduction of the vote for military contribution by one-tenth, from \$923,077 to \$830,770, on account of the reduction of the contribution to 90,000*l.* for the year 1895.

Mr. Shelford:—I rise, Sir, to move a considerably larger reduction than that proposed by the Colonial Secretary, which, I may point out, is entirely inadequate to the requirements of the case. I desire to approach this subject in a proper temper and with due reserve, bearing in mind that the despatch confirming the telegram has not yet been received, that it may possibly contain some modification of terms for the future, which it has not been thought necessary to telegraph out, and therefore some further abatement of the decision at present arrived at. But the reduction is not sufficient to meet the case. Ready as we at this end of the table have always been to meet the question in a spirit of compromise, sometimes, as it is alleged, approaching to weakness, and, speaking for myself, I venture to aver that if the sum proposed for 1894 had been announced as an annual reduction I should have been inclined to accept it without demur, patiently waiting the further development of events, in the hope of the matter being placed once for all on a better and sure basis for the Colony. But no such chance has been given us, the door of conciliation is closed to us, and I would demonstrate, as well as I can, the exceedingly shabby treatment we are receiving from the Imperial Government; in doing so, I must trouble the Council with some figures, which I shall endeavour to put before them as clearly as I can.

Now, Sir, in the despatch of December 1889, when it is for the first time announced that the contribution is fixed at 100,000*l.* per annum, the period stated is for four years, and in this Bill the same sum is renewed bringing it to six years—that is to say, 600,000*l.* In the resolution of this Council of February 1890, it was contended and unanimously agreed that in no case should the Colony pay more than half of the cost of the whole military defence, in round numbers 70,000*l.*, which for the six years is 420,000*l.* leaving a difference of 180,000*l.*, and it is in respect of the difference of 30,000*l.* per annum that the dispute arises, involving, as I shall show, a sum of very great importance to us. I do not propose to go into the merits of the case at the present time. Every point as it arose has been dealt with in the admirable despatches of the late Governor, laid upon the table. Every statement put forward by Her Majesty's Government has been answered by argument which has received little attention, and the issue has long since been narrowed down to sheer might on one side and ineffectual

remonstrance on the other. Moreover, we have not yet the despatch before us, and do not know in what spirit it has been conceived—whether in the flinging of a contemptuous sop at an angry dog, or that Her Majesty's Government admits the principle that the Colony has been overcharged and the amount levied is beyond the just proportion. Certain it is that in July 1891, Parliament was led to believe, and a pledge given, that the claims of the Colony would receive just consideration, and, although the delay appeared interminable to us, and our patience was well-nigh exhausted, we had a right to hope—we had a right, from the representations publicly made, to believe—that, when the time came, substantial relief would be given. The revenue since and including that of 1891—the year of which I am speaking, when the pledge to the House of Commons was given—both actual and estimated, to the present Bill is below that of 1888, upon which the contribution was fixed, I repeat, and the point has never been contradicted, that when this contribution of 100,000*l.* was fixed, the estimated revenue of 1889—showing a great increment in consequence of the reletting of the farms, was before Her Majesty's Government; in fact they fixed this contribution on a rising revenue. The expenditure since and including this year 1891 has always exceeded the revenue. In 1891, for instance, the deficit as shown by the Final Supply Bill was \$319,992; in 1892, \$460,960; in 1893, \$192,169 a total of \$973,121, resulting in the exhaustion of all our reserves, the reduction of our available balances, the stoppage of our works and undertakings, the amount spent in 1888 under Works and Buildings, and Roads, Streets, and Bridges being \$1,070,203, as against \$418,303 the estimated expenditure in the Supply Bill at present before us. Now, all this must have been perfectly apparent in the returns which from time to time have been sent home, and the manner in which Her Majesty's Government propose to meet the difficulty is to return to us one-sixth of the difference of 180,000*l.*, or 5 per cent. of the total amount involved. But, Sir, the case becomes even worse when it is looked at in the view of our own currency. In the despatch of 1889, to which I have alluded, it will be found that the Secretary of State, in arriving at this sum of 100,000*l.* and in drawing attention to the proportion it bore to our revenue, took the exchange then current as 3*s.*, at which rate 100,000*l.* are equivalent to \$666,666. In 1894 this same 100,000*l.* was to cost \$929,118; in 1895 it was estimated at \$923,077; and to prove to the Council how inadequate is the abatement, deducting the 20,000*l.* allowed off the contribution of 1894, it gives, in round numbers, \$729,000. To arrive at this I have taken the payments for the first three quarters of the year and added thereto the 25,000*l.* which yet remains to be paid at the exchange fixed by the Treasury, which is as low as 2*s.* For 1895, 90,000*l.* is estimated at \$830,770, that is to say, \$164,000 in excess of the amount of dollars computed by the Secretary of State at the time the contribution was fixed in 1888. It represents 22 per cent. of the estimated Revenue, as against 17 per cent. in 1888, and 15 per cent. in 1889.

This, then, Sir, is the solution offered to the Colony from a financial point of view for the coming year, and, so far as we can understand, for the year only. We are entirely left in the dark, and if Her Majesty's Government have arrived finally at this decision, they have done so without waiting for the result of the letting of the farms, which has brought an increase of \$102,000 only, as against over \$500,000 in 1889, when they, in effect, fixed the contribution. It will, therefore, appear from what I have said, that, apart altogether from the considerations as to the amount in sterling, it becomes an increasingly grave matter when we are called upon to pay upon that basis. So unprecedented has been the fall in the value of our currency that the relief in 1895, expressed in sterling at 10,000*l.* leaves us with an actual increase of $24\frac{1}{2}$ per cent. on the amount of dollars paid in 1888. Sir, it is this element of exchange which constitutes such an enormous burden upon the Colony, of which Her Majesty's Government has apparently shown little appreciation, and no satisfactory solution, so far as the Colony is concerned, can be reached without taking note of this question of exchange. In the despatch of December 1889, it is laid down as one of the first conditions that the contribution should henceforth be paid in sterling, or that it should, if in dollars, be paid at the fixed Treasury rate; attached to the Despatch is an Appendix (C.) which shows that in the course of some 13 years the loss sustained by the Home Government by exchange was 58,000*l.*, the half of which the Colony was called upon to make good. In debating this question for the first time, in 1890, Mr. Adamson drew attention to this matter. He admitted that circumstances had greatly altered with regard to the course of exchange, and that he was not disposed to dispute that we should recognise the change which had taken place, that we should be ready to accept the claim which the Secretary of State has made, and compound for it by the payment of 28,000*l.* At that time all efforts were directed against what was

considered, and is still regarded, as the inequity of the arrangement which was proposed, of the proportion chargeable of the whole cost of the garrison, and indeed the question of exchange did not then arise in connexion with us. The course of exchange at that time told rather in favour of, than against, the Colony, thus, accepting the standard of \$666,666 as assessed at in 1888, we paid in 1890 \$577,633, in 1891 \$622,850; in 1892 the cost was \$667,956; and it was not till the disastrous year 1893, when the Indian mints were closed, and the price of silver gradually fell, that we began to realise the consequences, and in 1893 we paid \$752,522. Sir, the Secretary of State, in his Despatch of January 1891, specially points out the advantages to the Colony, in common with other silver-using countries, derived from the rise in the gold value of silver, and, notwithstanding all that has taken place, I am loth to believe that he is ready to abandon that argument now that it has happened that the boot is put on to the other leg. Admitting, for the sake of comparison only, that the contribution of 100,000*l.* is continued, it will be seen by reference to the Statement C that, whereas the loss from exchange to the Imperial Government from 1876 to 1888 was \$316,419, in the five years 1890-94 the loss to the Colony is \$216,749, taking the estimate for 1895, the difference between the amount entered for that year on the Estimates now before us and the amount taken in 1888 by the Secretary of State shows an increased cost of \$256,411—so that in the six years this contribution has cost the Colony an increase of \$473,160, as against the loss in 13 years to the Imperial Government of \$316,419.

Sir, the comparison of the year 1895 alone shows that the higher of the two sums offered to us, 20,000*l.*, would be insufficient to meet the difference in exchange. But that is not all, for it is impossible to foretell what will be its course, and whether we may not be called upon to pay even still more in dollars. It is this uncertainty which paralyses the course of the Government, which disorganises all our finances, and which places us in constant difficulties. Therefore, the only hope to arrive at any satisfactory conclusion is the payment of this military contribution in our own currency, based upon a proportion of the actual gross revenue. There are many advantages in this course, but they are, to my mind, all outweighed by the fact that we shall know where we stand—the increase in the prosperity of the Colony will add to the contribution to Her Majesty's Government, and if evil days come again to us, the Imperial Government will, as the parent country, share in our decline. I do not enter into details. I have no doubt the suggestion will be met with difficulties—that it will be met with a negative in the first instance; but we must press it onwards, and as a first step in that direction, I move that the vote be reduced to \$595,000, which represents a proportion of 15 per cent. of the estimated revenue; and exceeds what was considered as amply sufficient to meet the demands of Her Majesty's Government in the resolution of February 1890, to which I have already referred. I beg to move the reduction of the vote for military contribution to \$595,000.

Mr. Hüttenbach:—I beg to second that, because I quite agree with the hon. member who has just spoken that the contribution should be founded on a maximum per-centage according to the prosperity of the Colony. That would be equitable for all contingencies. It is quite irrational to ask any one in this country to consent binding ourselves to anything to be fixed in pounds sterling or dollars, because we do not know but the exchange or the dollars may at a future date mean more than the whole revenue. The system of per-centage is equitable. It may at times give the Home Government much more than they asked for, and no doubt we would all be delighted if at any time it came to 200,000*l.* instead of 100,000*l.* If we can only make it understood at home that the position is such that the money is required to retain British trade at these ports I think it would be gladly given. I fear more opposition to this locally when considering that Singapore members yesterday objected to have a Port Trust because we have Tanjong Pagar and New Harbour. The opposition to do something for Singapore's trade I fear more from this table, than from Her Majesty's Government. I do not agree that it is advisable to appeal to the Privy Council. I think the constitution is such that, like Parliament, this Council is omnipotent. This Council is the Privy Council to decide what is advisable for the peace, order, and good government of this Colony. If we were to go to the Privy Council, it would amount to this Council asking to have powers curtailed which we now possess in full, nor would it be an advertisement. What we should advertise is that we want to pay a per-centage, and a liberal per-centage. I don't say that 15 per cent. is the final offer of this Colony. In being liberal we shall have the sympathy of England; but if we went to the Privy Council, we might lose sympathy, as it would seem as if we wanted to repudiate the obligation as a whole. This is just what we should

take great care not to do. It is not to insist on the constitution, but to get it altered what we want. We are supposed to decide what is for the good of this Colony. But this is really not left to this Council. As long as the Secretary of State orders the official vote, so long is it left to be decided by the Secretary of State. Thus it is an alteration of the constitution which is required. But in that direction I fully see that, as a naturalised subject, I am in a difficult position. It would be said—if we Englishmen are contented with this constitution, why should it not be good enough for you, a naturalised subject? And therefore until my unofficial colleagues are with me, it would be impossible for me to proceed, but I know this, that if they thought that this Colony could only shoulder a tenth part of the bayonets that America could in the last century, the question would have been settled at home long ago. As long as it is not fixed on an equitable principle, it remains only settled by might. On the other hand, right is also a power, and if we only always keep right on our side we need not despair that ultimately it will be settled satisfactorily. The hon. member says we have overpaid 200,000*l.*: I think it is 300,000*l.* The amount formerly agreed upon is 50,000*l.*, and all since taken from us over that is an over-payment and in dispute. What Mr. Shelford has said regarding the closing of the mints is a strong argument also in another way, because as the Home Government has authorised the closing of the mints, they have brought about the depreciation of silver, and it is thus through their action that the increase arises. It was at Manchester, I think, that Lord Salisbury said England should bear part of the losses of the silver countries caused through the closing of the Indian mints. Well, here would be a chance for the present Government to show that they endorse these views. Anyhow all paid over the old amount is still in dispute and forms a claim. And I think that claim we should properly formulate. It should be clearly shown that all that has been taken from the Colony over 50,000*l.* in previous years has never at any time been taken with the consent of the Colony. The orders of the Secretary of State can never amount to consent. Our claim will have to be taken into consideration when a final settlement is arrived at. But nothing can be considered as final settlement until arrived at by the approval of the members of this Council voting as a whole, but freely and in accordance with their own convictions, and not on the order of the Secretary of State. At the same time, I think, from the replies in the House of Commons and other indications, we are nearing a settlement. If I may judge from the answers given in the House of Commons, your Excellency has taken it up in the way of exchange. Hitherto it has been so many pounds more or less and that made a quite different effect, but the moment you have taken up the question of exchange and the principle of per-centage, leaving it open what the per-centage is to be, every body in England and anywhere will say it is the right principle to go upon, and if I may venture to prophesy I would prophesy that in this despatch the Secretary of State admits the principle of per-centage, but that on account of the budget of England being kept in sterling, a proportionate amount in sterling will be fixed each year, leaving us the risk of exchange for that one year only. That I, for one, would consider fair, and then only the amount of the per-centage would still have to be settled. In order to enable us to get a satisfactory settlement regarding this, we shall have to persist to the last moment, and, therefore, I cordially support the resolution of the hon. member.

The amendment was put to the vote, with the following result:—

<i>Aye.</i>	<i>No.</i>
Mr. Hüttenbach.	The Colonial Engineer.
„ Seah Liang Seah.	„ Auditor-General.
Dr. Brown.	„ Acting Colonial Treasurer.
Mr. Donaldson.	„ Attorney-General.
„ Bogaardt.	„ Acting Resident Councillor of
„ Shelford.	Malacca.
„ Vermont.	„ Resident Councillor of Penang.
	„ Colonial Secretary.

The numbers being equal, the Governor gave his vote with the Noes, and the amendment was lost.

The Colonial Secretary's motion was then agreed to.

Mr. Donaldson moved that the vote of \$200,000 for new barracks at Pulau Brani and Blakang Mate be struck out. He did not dispute that the works might be necessary, but on account of the heavy military contribution the Colony could not bear the expenditure.

Mr. Shelford :—I second the motion. I must say I am surprised that the vote should appear in the Bill at all. At as recent a date as last June the Colonial Secretary said the work might be very well dealt with by loan, and in his despatch of 1889 the Secretary of State stated that the cost might be spread over several years, the amount being advanced from the accumulated balances of former years. These accumulated balances have already been appropriated by the Secretary of State, for the purposes of the garrison. It does not appear to alter the principle that the cost of these votes should be met by a loan. I do not dispute that [when] I brought to the notice of the Council last year that we should face a deficit, I did not contemplate that this deficit should be brought about by such a work, but rather by our own requirements. No doubt there is a danger in raising a loan. There is danger of the War Office launching out into the extravagant expenditure which was proposed by the late General Officer Commanding. On the other hand, if introduced in the Estimates year by year, this Council (if, indeed, it is allowed to have any voice in the matter) will be able to see the votes year by year, and endeavour at least to exercise some control over them. However, I need not proceed further in this direction, because I agree with my hon. friend that the vote should be expunged altogether. What is the position? The resolution to which I have already referred proposed that if Her Majesty's Government would accept a contribution of not exceeding half the cost of the garrison, the Colony would undertake to build the barracks. But Her Majesty's Government refused this proposal, and consequently we are free from any obligation. I am quite aware that it is represented we are bound to provide barracks under the original agreement, but this has been so fully dealt with in the volume of correspondence on the subject that it would serve no good purpose to detain the Council on the subject now. It is contended that, by a departmental letter of 21st April 1866, we are liable to provide barrack accommodation for any number of troops "which may be demanded for the defence of the place." That statement was answered by a letter from the Colonial Office, of 25th May 1866, to which the Treasury replied :—"As regards that portion of your letter which refers to barrack accommodation for any troops stationed in the Settlements for Imperial purposes, my Lords agree that no charge on this account ought to fall upon the Settlements." And I may point out that the Secretary of State for the Colonies in correspondence with the War Office again in 1888, argued "that an agreement relating to the defence of a local port of trade cannot possibly be read as a promise to provide for a coaling station which subsequent and unforeseen events, independent of the local trade, have called into existence for supplying the wants of the Empire." Such was the ground taken up at that time by the Secretary of State on behalf of the Colony. It was a ground, however, which was disputed by the War Office and abandoned by the Secretary of State for the Colonies. He has gone the length in a subsequent despatch of stating that, as the whole of the garrison is required for the defence of Singapore it must be regarded for local, and not Imperial, purposes, and that therefore we must provide the whole accommodation.

There is, throughout the whole of this dispute, constant reference made to the position of this Settlement under the Indian Government, and it is said that if we were still under the Indian Government we should receive worse treatment at their hands than at the hands of the Crown. That may be so as regards the garrison, but I need hardly remind hon. members that the Indian Government undertook the whole cost of barrack accommodation, and that the settlement did not bear any part of it whatever. When the Colony was transferred from the Indian to the Colonial Government, there had been an expenditure of 40,000*l.* for the cost of barracks for troops. The total sum provided was 70,000*l.* for barracks for the artillery and the infantry regiment, and in consequence of the refusal of the War Office to make good these claims, the European barracks at Tanglin were at once stopped. I mention this to emphasize the fact that, under the Indian Government, these Settlements were not called upon to pay anything whatever for barrack accommodation.

The estimates for these barracks, we are told, have been considerably reduced—very much reduced from the original enormous estimate placed before us in the year 1892, which for the time being has been laughed out of court. We do not know, Sir, how far this reduction will continue. The Secretary of State in his despatch of December 1889, spoke of 60,000*l.* as an outside amount. 60,000*l.* represented \$398,900, we are asked now to supply this vote of \$200,000, which undoubtedly will not meet the equivalent of what was contemplated at that time. The vote as placed before us is almost a farcical one, for we are not in possession of the estimates, nor any scheme of finality, nor anything to show where the expenditure is to end, or whether, in fact, the War Office will not call upon us to provide the several offices and quarters in the

original exorbitant scheme. And, finally, I will point out that in 1892 Sir Cecil Smith argued that, as the Colony has to pay for a garrison, it should have some voice as to the number of that garrison. If the Imperial Government requires a number of troops with a staff to be kept here for its own purposes, let the Imperial Government provide for its accommodation.

On the motion being put, members voted :—

<i>Aye.</i>	<i>No.</i>
Mr. Hüttenbach.	The Colonial Engineer.
„ Seah Liang Seah.	„ Auditor-General.
Dr. Brown.	„ Acting Colonial Treasurer.
Mr. Donaldson.	„ Attorney-General.
„ Bogaardt.	„ Acting Resident Councillor of
„ Shelford.	Malacca.
„ Vermont.	„ Resident Councillor of Penang.
	„ Colonial Secretary.

The numbers being equal, the Governor gave his vote with the Noes.

The motion was therefore lost, and the vote passed.

On the vote of \$1,300 for Raising Butt, Tanglin Rifle Range.

The Governor explained that this was a work of necessity as a matter of safety, in consequence of the introduction of a new arm—the Lee-Metford—which had a great range. It appeared to him that this vote did not involve any question of principle.

Mr. Shelford :—I desire, Sir, to give every possible weight to what has fallen from your Excellency, and I should not have moved at all in the matter if I did not object to the entire principle upon which the vote is charged. I understood when the question was settled in 1889, and the contribution fixed at 100,000*l.*, that the War Office would take charge of and maintain all existing works and buildings. If that be so, it appears to me that this is one of the works, and it is upon that ground that we must divide against the vote. I may also point out that this small vote serves as an object lesson in showing the danger in which the Colony is placed by the demands of the War Office. I understand that the original vote demanded was \$18,000 and even more; it has been reduced to \$1,300. If the efforts of the local Government were always as successful we should not be so heavily burdened with the military votes. But it is on the principle I have stated that I object to the vote, and move its omission.

Mr. Bogaardt seconded.

On the motion being put, members voted :—

<i>Aye.</i>	<i>No.</i>
Mr. Hüttenbach,	The Colonial Engineer.
„ Seah Liang Seah.	„ Auditor-General.
Dr. Brown.	„ Acting Colonial Treasurer.
Mr. Donaldson.	„ Attorney-General.
„ Bogaardt.	„ Acting Resident Councillor of
„ Shelford.	Malacca.
„ Vermont.	„ Resident Councillor of Penang.
	„ Colonial Secretary.

The numbers being equal, the Governor gave his vote with the Noes.

The motion was lost, and the vote passed.

On the vote for Lodging and Rent Allowance,

Mr. Shelford said :—I do not rise to move any reduction, but merely to ask whether this Lodging and Rent Allowance, paid by the Colony, is in accordance with the Colonial Regulations—whether the regulations for lodging and rent for officers of the Colony apply to these.

The Governor :—You can hardly expect that. You might just as well expect that the pay of the officers and men should be on the same scale as ours. It appears to me that there are rules that apply to the military in these matters that must be conformed to.

On the motion of the *Colonial Secretary*, progress was reported.

* * * * *

Enclosure 2 in No. 36.

RIDER.

We renew our protest against the amount of the military contribution entered on the Estimates, and which, notwithstanding the abatement of the equivalent of 10,000*l.*, exceeds the per-centage on the Revenue named in the despatches of the Secretary of State of 1889 and 1891; takes no account of the heavy loss entailed on the Colony by the unprecedented decline in currency values; offers no security or assistance against continued fluctuations; and paralyses the progress of the Colony in every direction.

We are of opinion that, under existing circumstances, the only fair and equitable arrangement of levying the Contribution is by a fixed per-centage on the actual gross revenue of the Colony.

No regard having been paid to the proposition of the Legislative Council as per resolution unanimously passed on 13th February 1890, we declare our protest against the cost of the barracks being thrown upon the Colony.

T. SHELFORD.
T. C. BOGAARDT.
A. L. DONALDSON.
S. LIANG SEAH.
A. HÜTTENBACH.

Singapore, 15th October 1894.

Enclosure 3 in No. 36.

RIDER.

We are deeply disappointed at the insufficiency of the relief granted to the Colony on account of the military charges. This burden weighs the more heavily on the Settlement of Penang, in that whereas in Singapore some portion at least of the contribution is expended in the Settlement where the garrison is stationed, we do not participate in that advantage, such as it is. The serious difficulties into which this contribution has brought the Colony are everywhere apparent, and in this Settlement more than elsewhere.

J. M. VERMONT.
W. C. BROWN.

Penang, October 13th, 1894.

No. 37.

THE STRAITS SETTLEMENTS ASSOCIATION to COLONIAL OFFICE.
(Received January 15, 1895.)

Straits Settlements Association,
2, Whittington Avenue, London, E.C.,
January 14, 1895.

MY LORD MARQUESS,

I HAVE the honour to inform your Lordship, that, at a meeting of this Association, held on the 19th ultimo, I submitted Mr. Fairfield's letter to me of the 5th December,* together with the copy of your Lordship's Despatch to Sir Charles Mitchell, of 6th November last,† embodying the decision of Her Majesty's Government in regard to the military contribution of the Straits Settlements.

2nd. The Association extremely regrets to learn that the Government have refused the appeal of the Colony for a permanent reduction of the military contribution; that the relief promised is of a temporary character; and that the present uncertainty as to the ultimate amount of the contribution, with the difficulties thereupon arising, is to be continued.

3rd. The Association observes that the amounts payable for 1894-5 are to be reduced to 80,000*l.* and 90,000*l.* respectively, but it has also remarked that the amounts for 1897-8 are to be increased to 110,000*l.* and 120,000*l.* respectively. The reduction on the first-named two years is, therefore, simply a deferred payment to be made good in the last two years of the quinquennial period, and whatever temporary convenience there may be in this arrangement the Association finds itself unable to

* Not printed.

† No. 33.

concur in your Lordship's opinion that it will be "a sensible relief" to the finances of the Colony for the years 1894-5, while it can hardly be expected that so small a concession will be considered by the Colony as in any way meeting the justice of the case.

4th. The Association has not failed to observe that, in notifying this arrangement, your Lordship intimates that the charges for 1896-7-8 are of a provisional character, and "that during 1895 a more trustworthy forecast will be possible of the financial conditions, that will probably rule the remainder of the quinquennial period."

The expectation here held out of some possible relief in 1896-7-8, seems, however, very unlikely to be realized, for in Clause 11 your Lordship expresses the hope "that there may be some moderate increase in the revenue, which will enable the Colony, not only to provide for the military contribution, and all civil charges, without incurring a deficit in the quinquennial period, but that there will even be a balance on the period as a whole, *which balance, together with what remains of existing Colonial balances, the Colony may be able to devote to some extent to the construction of barracks, rendered necessary by the increased and concentrated garrison of Singapore.*"

5th. Your Lordship is aware that the revenue of the present year has been increased by fresh taxation and that the various items of expenditure have been pruned down by a retrenchment committee, while necessary expenditure for public works has been withheld. It cannot, therefore, but be a matter of grave concern to the Colony to learn that your Lordship contemplates "a possible moderate increase of revenue" as enabling the Colony to meet further military charges, and not as a means of undertaking works and duties admittedly necessary for its welfare, which are now postponed for want of funds.

6th. The Association takes notice of the fact that Her Majesty's Government do not repudiate the undertaking given by Mr. Goschen in the House of Commons in the debate of 1891, that should the Colony become less able to bear the contribution of 100,000*l.* than they were, Her Majesty's Government were bound to reconsider the question, but that they take the view that "this undertaking does not apply further than to the immediate future, and that a careful examination of all the facts has by no means convinced the Government that, taking the quinquennial period as a whole, the Colony may not be able to bear an average charge of 100,000*l.*, the amounts foreborne in earlier years being made good in more prosperous years."

7th. The Association would remark, in this connexion, that when Mr. Goschen gave the undertaking in question the revenue for the year 1889 was \$4,409,927 and the annual military contribution met by the payment of about \$650,000, but for the present year the revenue, which, as your Lordship observes, "has been materially increased by fresh taxation" (mainly to meet the military claims) is estimated at only \$3,950,000, and the contribution will at the reduced rate of 90,000*l.*, and the present rate of exchange in London, equal a sum of close on \$900,000. In these circumstances, the Association ventures to think that the undertaking given by Mr. Goschen has been very inadequately recognised by Her Majesty's Government, even though it be admitted for the purposes of argument that they were entitled to limit its application to "the immediate future."

8th. And while the Association is of the opinion that the obligation resting on Her Majesty's Government as regards the immediate future has been inadequately met, still less can it recognize the justice of increasing the payments for 1897-8 to 110,000*l.* and 120,000*l.* respectively. At the present rate of exchange, now about two shillings and a farthing per dollar, these sums represent close on \$1,100,000 and \$1,200,000 respectively, against which may be set, for purposes of comparison, a present gross revenue of about \$4,000,000.

Your Lordship remarks that the ability of the Colony to bear this increased charge rests in some measure on the anticipation of "a moderate increase under the various heads of each year." But the Association ventures to point out that it depends also on the expenditure being maintained at its present level, and on the continued withholding of necessary public works.

9th. The Association deeply regrets that, while making the arrangements already noticed for the quinquennial period of 1894-1898, your Lordship adheres to the view that the Colony is liable for all military expenditure, and that Her Majesty's Government claim the right to enforce payment of the full amount. No such claim, so far as the Association is aware, has ever been made upon any other of Her Majesty's Colonies, and in the case of the Straits Settlements the claim rests on an agreement, which, made under other conditions, has, it seems to the Association, been unfairly strained to cover an entirely new set of circumstances. The fortifications of Singapore

were built under the instructions of the Home Government in pursuance of a scheme of Imperial defence, and the Colony has never admitted the claim of Her Majesty's Government to be repaid the full cost of these measures of defence.

10th. The Association regrets that it appears to them that all through these long negotiations with the Colony, Her Majesty's Government have insisted on their own views, with scanty consideration for the wishes of the inhabitants of the Straits Settlements, as represented by both officials and non-officials, and that the decision now arrived at is calculated to embitter public feeling against the mother country, by representing her as harshly enforcing claims of an exceptional character, the fairness of which is disputed by the Colony, of whose funds she is the trustee.

11th. I am instructed to forward your Lordship a copy of a resolution passed at a meeting of the Association held on the 19th December. Of the state of public feeling in the Colony in regard to this question your Lordship will doubtless be informed through the usual official channels.

I have, &c.
(Signed) WM. ADAMSON,
Chairman, Straits Settlements Association.

Enclosure in No. 37.

RESOLUTION passed at a MEETING of the STRAITS SETTLEMENTS ASSOCIATION,
held at 2, Whittington Avenue, on the 19th December, 1894.

That this meeting protests against the decision of Her Majesty's Government in the matter of the military contribution, conveyed in the Marquess of Ripon's Despatch to Sir Charles Mitchell, and to the principles laid down in that Despatch.

(Initialled) W. A.

No. 38.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.
(Received February 4, 1895.)

[Answered by No. 43.]

MY LORD,

Government House, Penang,
December 29, 1894.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 6th November,* relative to the military contribution to be paid by the Colony for the quinquennial period 1894-98, which Despatch I laid duly before the Legislative Council and published.

2. It would appear from paragraph 15 of this Despatch that your Lordship considers the question as definitely settled, and beyond the reach of further argument. I have, therefore, some hesitation in doing more than merely acknowledging the receipt of the decision of Her Majesty's Government. But it occurs to me that, as further papers are to be presented to Parliament, it might be well that I should supplement my acknowledgment by a few remarks on a subject which I have endeavoured to approach with an open mind unbiassed by local views or prejudices.

3. I would commence by saying that I am strongly of opinion that the time has come when all Her Majesty's Colonies should contribute, in proportion to their resources, to the cost of the system which has been organised for the defence of the Empire, and that the immunity which most of them have enjoyed in the past cannot be reasonably expected to continue.

4. Her Majesty's Government appear to me to have approached the subject of the contribution that might be expected from the Straits Settlements with two dominant ideas, namely :—

- (a.) that the Colony committed itself, when it was separated from the Indian Government, to defraying the whole cost of its defence, whatever that might be; and,
- (b.) that the community of the Straits Settlements is much less heavily burdened by taxation than is that of Great Britain, and, therefore, that it is not unreasonable to increase its payment for defence proportionately to its reserve of tax-bearing capacity.

* No. 33.

5. As regards the first point I can add little or nothing to what has been so well said in paragraphs 5 (*et seq.*) of my predecessor's despatch of the 19th February 1890.* The circumstances under which the undertaking was given by the Colony have so entirely changed, that, I think, had a similar undertaking been given in a contract between two private individuals, it is probable that no court of equity would compel its execution. The establishment of fortified coaling stations involved, in my opinion, a departure from the implied terms of the contract that vitiated the binding nature of the original agreement. The concentration at Singapore, of the defence of the whole of the Settlements is another, although a minor, point in this contention, which has been fully dealt with by Sir Cecil Smith in the 10th paragraph of his despatch above alluded to.

6. I cannot think that Her Majesty's Government can seriously mean to hold this Colony to an understanding which, if carried to its logical conclusion, might, if the balance of power in the East should slightly alter, involve the incidence of the cost of a fortress such as Malta or Gibraltar on the civil population of a small settlement. The events that have occurred since 1866 have turned a commercial emporium into a place of first-class importance in the system of Imperial defence, and it is, I think, vain to argue that the retention of the commercial advantages that have during the same time accrued to Singapore are the *raison d'être* of its creation as a place of strength and as a *point d'appui* for Her Majesty's forces, for exactly the same argument could be applied to either of the fortresses which I have mentioned.

7. The other point on which I should like to remark is the question of taxation. It is, I think, impossible to draw any exact parallel between the incidence of taxation per head of population in Great Britain and the Straits Settlements. Your Lordship remarks that while 80 per cent. of the revenue of the latter would, after the military contribution has been paid, be available for civil purposes, only 36 per cent. of that of the former is so available. While admitting, for the sake of my argument, your Lordship's figures, I would point out that Great Britain is a country which has incurred in the past an enormous war debt, the interest on which may reasonably be deemed to be the payment by the people for the great European and world-wide advantages they have gained as the consequence of its expenditure. If this be admitted, 28 per cent. must be added for purposes of comparison to the calculation of the civil expenditure of Great Britain. Then it must be remembered that in England great public works for the development of the country do not, to a large extent, fall on the public revenues, while in a Colony they almost invariably do so. Much requires to be done in the Straits Settlements that will not be done, if the whole revenue, after defraying the bare necessities of Government is devoted to military contribution, to the payment for additional barracks, and to the alterations that will from time to time inevitably take place in the system of defence.

8. The country roads in Great Britain are not kept up from general revenue, whereas in a thinly-peopled country it is inevitable that the cost of all roads outside municipal limits should be so defrayed. This will also apply to a large proportion of the charges for police, education, gaols, &c.

9. On a reasonable estimate the proportion of these items that would fall on the general revenue here, in excess of the proportion of similar charges in England, might be taken at 16 per cent., and this would bring the remaining revenue available for military purposes in the Straits Settlements to something like 20 per cent. or about \$800,000, the equivalent of 80,000*l.* at the present rate of exchange.

10. I do not forget that the local revenues are, equally with the general revenue, a burden on the shoulders of the English taxpayers, but it must be remembered that we have local taxation in the Straits Settlements, although not to the same extent as obtains at home.

11. I do not think, if Singapore is to retain its present character, on which hinges all its prosperity as a free port, that any considerable increase can be made in taxation. An income tax has been suggested, but from whom could it be collected? The Chinese merchants, who represent a large proportion of the trading element, would bitterly resent such an impost, and it could only be collected by an inquisitorial inspection of their books, which, moreover, it would be necessary to force them to keep in the English fashion. The European merchant is very generally the junior partner of the firm, or merely a manager on a salary, and the profits, such as they are, are spent in England after a payment of their due proportion of Imperial Income Tax. It is, I think, a

mistake to regard this as a wealthy community, although there are a good many well-to-do people, who live in considerable comfort, but these do not, I think, bear anything like the same proportion to the general population as does the wealthy middle class of Great Britain. Below these come the European clerks and employés, who are certainly, as a class, not well off. The Eurasian part of the population and the Chinese clerks are represented to me as being generally extremely poor, and it is probably unnecessary that I should say, that the great mass of the working population live absolutely from hand to mouth, eight or ten of them living on what would be considered a bare subsistence by an English mechanic or labourer.

12. A tax on tobacco has been suggested, and your Lordship has been good enough to cause me to be furnished with certain information on the method followed in levying such a tax elsewhere, but there are grave difficulties, which I need not dwell upon here, in the way of collecting a tax on tobacco, although I do not absolutely regard it as an impossible one.

13. The natural desire on the part of the Dutch to absorb the trade that is now carried on from these Settlements, makes it a matter of grave necessity to avoid the irritation that would be caused to our population of Chinese, Malays, and Indians by the imposition of unaccustomed taxation.

14. I earnestly hope that nothing short of the direst necessity will cause your Lordship to direct me to commence, even for the erection of military buildings, a system of borrowing money. To raise loans would, in my opinion, be the beginning of the end of a sound system of finance for the Straits Settlements.

15. It must not be lost sight of, as I fear it has been to some extent during this correspondence, that the revenue and prosperity of the Settlements are not necessarily measured by the bulk of the trade which passes through them, and which is, for all practical purposes, a transit trade in which little or no profit is made. Neither must it be forgotten that although the revenue of the Colony seems to show some advance, when stated in dollars, it does not show, when given in sterling, even that moderate increase which your Lordship seems to regard as assured.

16. Your Lordship will, I think, admit that I have applied retrenchment with no sparing hand, and, although I do not wish to anticipate the effect of the reductions I have made, I fear that under some heads of service it, will be necessary, in order to maintain efficiency, to increase the votes. In any case, I submit to your Lordship that the prospect held out in paragraph 11 of your Despatch under reply is of the gloomiest to a Colony that has been hopeful of developing its resources by increased expenditure on useful and remunerative undertakings. In plain language, the position appears to be that the Colony is to be allowed a bare subsistence, and that all its remaining resources are to be devoted to armaments, in the cost and extent of which it has no voice, and which it deems—and I think with justice—to be far in excess of its requirements for commercial security.

17. I would crave your Lordship's pardon if I am overpassing the bounds of official decorum in saying that, in my humble opinion, the Departmental Committee on the report of which Her Majesty's Government has based its decision was scarcely, from the Colonial point of view, fairly constituted. Assuming that the Treasury and Colonial Office members were adequately representative of Imperial and Colonial interests, the War Office was hardly the department that should have furnished the member who would, in fact, be the arbiter in all points of difference, on some of which the War Office and the Colony are hopelessly at issue.

18. I note what your Lordship says as to the increased annual cost of the garrison over what was anticipated in 1888. I should be glad if your Lordship would cause me to be furnished with the figures on which this calculation is based, as I am unable to procure the information in the Colony.

19. I have endeavoured in this Despatch to avoid dwelling on controversial matter, but I would venture to remark that it would be a source of some satisfaction to this Colony if I could be informed why Her Majesty's Government is treating the Straits Settlements in so entirely different a manner to other Colonies. Take, for instance, Jamaica or Cape Colony; the former has double, the latter twelve times, the gold revenue that the Straits Settlements has, and neither of them as a coaling station is probably of more importance than is Singapore; or take Natal, with treble the revenue and not at present a coaling station in the Imperial system at all. Only one of these Colonies pays, so far as I am aware, anything, and that one (Natal) only some 4,000/., towards the cost of garrisons of much the same strength as that of the Straits

Settlements. The same remark applies with more or less of force to Sierra Leone, to the Gold Coast, to Nova Scotia, to Barbadoes, and to St. Lucia. None of these, so far as I know, bear any proportion of the cost of Imperial defence, although they have Imperial garrisons. Even in the cases of Ceylon, Hongkong, and Mauritius, the amount recovered is not nearly in the same proportion to the cost of their defence and to their revenues as is that exacted from the Straits Settlements.

20. I append a table showing what has been the proportion of military expenditure to revenue, &c., paid by this Colony during the last 10 years.

21. I conclude by expressing an earnest hope that it may not be too late to deal with this question on the basis (perhaps) of a certain fixed proportion—say 20 per cent.—of the Colonial revenue being taken as its contribution for military and naval defence. I am aware that such a system, by reason of the fluctuation in the dollar value, might to some extent disturb the estimates of receipts by the Imperial Exchequer, but this disturbance would be infinitesimal in comparison to the hopeless confusion into which the calculation of the contribution on a gold basis reduces the Budget of a Colony of which that contribution with other military charges on the 1895 Estimates exceeds one-fourth of the estimated revenue.

I have, &c.

(Signed) C. B. H. MITCHELL.

Enclosure in No. 38.

YEAR.	Aggregate Trade, i.e., Imports and Exports.	Aggregate Shipping, i.e., Inwards and Outwards.	Total Revenue.	Total Expenditure.	Total Military Expenditure.	Per-centage of Military Expenditure on Revenue.
	\$	Tons.	\$	\$	\$	
1884	218,108,704	6,210,667	3,515,841	3,238,031	239,910	6·82
1885	210,870,018	7,860,917	3,508,074	3,593,149	239,606	6·83
1886	225,666,492	8,179,233	3,747,501	3,495,639	241,059	6·43
1887	263,664,131	8,715,006	3,847,650	3,511,096	240,115	6·24
1888	293,479,085	9,192,855	3,858,909	3,559,864	242,966	6·29
1889	289,418,342	9,656,950	4,409,927	3,812,612	242,723	5·50
1890	296,375,855	9,678,659	4,269,125	3,757,693	292,493	6·85
1891	279,147,671	10,618,058	3,826,603	4,598,978	1,087,649	28·42
1892	293,085,890	10,200,435	3,652,877	4,266,406	837,967	22·93
1893	323,771,030	10,613,806	3,706,307	3,915,481	752,522	20·30
1894 (Estimated.)	*302,548,974	†7,200,000	3,818,170	3,826,138	729,118	†19·09

* Nine months only.

† Singapore only.

‡ Military contribution reduced from 100,000% to 80,000%.

No. 39.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.

(Received February 4, 1895.)

MY LORD,

Government House, Penang, January 9, 1895.

I ENCLOSE copies of resignations sent to me by eighteen justices of the peace for Singapore and by the Singapore Chinese Advisory Board.

2. These resignations are caused by the publication of the decision of Her Majesty's Government in regard to the military contribution.

3. If, as I believe it to be, this action is based upon a common understanding on the part of the European and Chinese residents of position in Singapore, I shall probably experience much difficulty in filling the vacancies thus caused, but on this point I shall address your Lordship after my return, next week, to Singapore.

I have, &c.

(Signed) C. B. H. MITCHELL.

Enclosures in No. 39.

SIR,

Singapore, January 4, 1895.

WE, the undersigned justices of the peace, beg to submit to his Excellency the Governor, our resignation of that office, as a protest against the arbitrary action of Her Majesty's Government in regard to the military contribution, as set forth in Lord Ripon's latest despatch.

It is a matter for regret that this step should be necessary, but, in view of the harsh and, in our opinion, unfair treatment of the Colony, showing a great disregard of its present welfare or future prosperity, it seems to us the only course left to us, as a means of protest.

We have, &c.

(Signed)	J. R. CUTHBERTSON.	(Signed)	R. W. HULLETT.
	J. BLAIR.		T. S. THOMSON.
	T. SHELFORD.		W. G. TAYLOR.
	C. STRINGER.		C. SUGDEN.
	J. MILLER.		A. GENTLE.
	A. J. GUNN.		J. MACRITCHIE.
	T. C. BOGAARDT.		J. FRASER.
	J. ANDERSON.		C. E. CRANE.
	T. JIAK KIM.		S. LIANG SEAH.
	T. KEONG SAIK.		

The Hon. A. P. Talbot,
Acting Colonial Secretary,
Straits Settlements.

SIR,

Singapore, January 4, 1895.

THE action of Her Majesty's Government in ignoring the appeal of this Colony for some reduction in the military contribution is, in our opinion, calculated to have so disastrous an effect upon the welfare of the Colony that we feel bound, as the only means in our power of protesting against what appears to us such a grave injustice, to place in the hands of his Excellency the Governor the resignation of our seats as members of the Chinese Advisory Board.

We have, &c.

(Signed)	S. LIANG SEAH.	(Signed)	T. JIAK KIM.
	L. CHENG YAM.		W. JOON SIANG.
	T. CHENG FOOK.		K. CHENG TEO.
	G. ENG SENG.		G. SIN KHO.
	FUNG YIN.		SIH GUAN.
	C. AH PAT.		NG KWAI PO.

The Hon. A. P. Talbot,
Acting Colonial Secretary,
Straits Settlements.

No. 40.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.

(Received February 4, 1895.)

Government House, Penang,
January 10, 1895.

MY LORD,

IN continuation of my Despatch of the 29th December,* I have the honour to transmit to your Lordship a copy of a letter I have received from Messrs. Shelford, Donaldson, and Seah Liang Seah, tendering their resignations as unofficial members of the Legislative Council.

2. As your Lordship will perceive, they state that they have been prompted to take this step as a final protest against the decision come to by Her Majesty's Government with regard to the amount to be paid by the Colony as Military Contribution during the quinquennial period 1894-98, which was conveyed in your Lordship's Despatch, No. 365, of the 6th November last.

3. I also enclose a copy of a semi-official letter addressed by Mr. Bogaardt to the Colonial Secretary, in which he regrets his inability, under the circumstances, to accept

* No. 38.

renomination on the expiration of his term of office. Mr. Bogaardt had previously intimated to me personally his willingness to serve again.

4. Mr. Donaldson had already, before the receipt of your Lordship's Despatch to which I have above alluded, informed me of his intention of resigning his seat, as he was leaving the Colony early in January.

5. Mr. Hüttenbach, a copy of whose letter to the Colonial Secretary I enclose, has expressed a wish to resign his seat for other reasons than those which have brought about the resignation of the gentlemen above named. Mr. Hüttenbach has been much attacked in the local press lately, and I cannot but feel that the treatment he has received is the cause of his wish to retire. I have asked him to meet me on my return to Singapore, and he may then see fit to reconsider his decision.

6. The Penang members, Dr. Brown and Mr. Vermont, have, up to the present moment, shown no sign of following the example of their Singapore colleagues, and I think it probable that they will adopt an independent course.

7. The decision of the Singapore members has, I understand, only been arrived at after long consideration, and with the full knowledge that it meets with the general support of the influential portion of the local European and Chinese community. It will, therefore, I fear, be difficult, if I restrict my choice to Singapore residents, to adequately fill their places, but on this point I will address your Lordship again after my return to Singapore.

I have, &c.
(Signed) C. B. H. MITCHELL.

Enclosure 1 in No. 40.

From Messrs. SHELFORD, DONALDSON, and SEAH LIANG SEAH to His Excellency the
GOVERNOR, S.S.

SIR,

Singapore, January 4, 1895.

At the last meeting of the Legislative Council, held on the 10th ultimo, there was laid on the table by your Excellency's directions, the Despatch of the Secretary of State relating to the adjustment of the Military Contribution for the quinquennial period of 1894-98.

2. It is needless to say that the decision of Her Majesty's Government, which we are bound to assume is final, in no degree fulfils the reasonable expectation of the people of the Straits Settlements by lightening the burden of the military charges which are so heavily pressing upon the finances of the Colony, nor are we able to regard the conclusions arrived at as a just fulfilment of the undertaking given by Her Majesty's Ministers to the House of Commons in August 1891: "That if the revenues of the Colony should decrease, if they are less able to bear the Contribution than they now are, Her Majesty's Government would be inclined to review the situation."

The Despatch expresses regret that it should have been found necessary to grant even the temporary abatement of 20,000% in 1894 and of 10,000% in 1895, which it is in contemplation to recover in the later years of 1897-98.

Her Majesty's Government thereby entirely avoids the contention of the Colony, sustained throughout the last five years, that the cost of the garrison should be apportioned, as in the case of the forts and armaments, with due regard to Imperial and Colonial interests, and abides by the agreement of 1866.

The letter written under directions of Lord Knutsford to the War Office, dated 4th May 1888, sets out the changed conditions which have obtained since the opening of the Suez Canal, and nothing can be added to so clear and succinct a statement.

The Despatch reiterates the claim of Her Majesty's Government to charge the full cost of the garrison, re-asserts the obligation of the Colony in respect to military lands and buildings, and "reserves all rights claimed on behalf of the Home Government should a fuller assertion appear reasonable on or after 1899."

The claim of the Colony to consideration in these respects has thus been set aside.

The Contribution was fixed in 1888 upon a rising revenue of \$3,858,909, and on a basis of three shillings per \$, at \$660,000, about 17 per cent.

The estimated revenue of 1894 is \$3,818,170, the reduced Contribution of 80,000% is equal to \$729,000, about 19 per cent.

The estimated revenue of 1895, enhanced by increased taxation, is \$3,973,521; the Contribution of 90,000% is equal at 2s. 2d. to \$830,770, at the exchange of the day to \$900,000, about 22½ per cent.

The revenue in 1888 taken at 3s. in sterling was 578,000£., the Contribution 100,000£.
The estimated revenue in 1895 at 2s. 2d. is 430,500£., or at the exchange of the day 397,500£., the Contribution 90,000£.

In 1888 there were reserves amounting to \$1,363,762 which had been gradually built up in prosperous years, in accordance with Lord Kimberley's instructions of 1882, "to meet emergencies which may arise in the future owing to bad seasons, depression of "trade, or other calamity."

Almost the whole of this fund was absorbed in meeting the increased military charge and claims, as set out in the memorandum of the Audit Department dated the 6th October 1892.

These reserves are now entirely exhausted, and Her Majesty's Government also proposes to appropriate any yearly balances of revenue which may be procurable.

The heavy fall in silver has greatly increased the cost of gold remittances to meet necessary civil charges such as stores, pensions, &c., and which at a difference between 3s. and 2s. 2d. will probably not be less than \$175,000, to which has now to be added the Exchange Compensation of \$105,000 to \$115,000.

The revenue, in meeting these charges, is unable to provide needed public works, more especially in the northern settlement, for increased facilities to trade, or in the social and educational progress of the native classes, who are entirely dependent upon the initiative of the Government.

In view of all these circumstances we are unable to perceive that any "sensible relief" has been afforded to the finances of the Colony, nor to acknowledge that Her Majesty's Government has treated the question with fairness and equity.

It is generally understood that the principal functions of the unofficial members of the Legislative Council are to advise on matters of finance, but on this question our strong expressions of opinion, which we believe were altogether in accord with those of your Excellency, your Excellency's predecessor, and the Executive Council, have been entirely ignored.

Year after year the Legislative Council is compelled to pass estimates, which we know are insufficient to meet the wants of the Colony and to vote sums of money for military purposes, which are greatly in excess of what the Colony can afford to pay.

The determination of Her Majesty's Government, as revealed by the Despatch, to pay no heed to our protests, nor to lay down any principle of finality, obliges us to disclaim further responsibility for the finances over which this Council is not permitted control, and which are threatened with further inordinate exactions.

We beg respectfully, therefore, as a final protest against such unjust treatment and disregard of our views, to place our resignations in your Excellency's hands, with the request that you will be pleased to forward them to the Secretary of State.

Had it been practicable, we should have preferred to express our views and the course it becomes us to follow at the table of the Legislative Council upon your Excellency's return to Singapore, but the gravity of the situation will not admit of further delay, and we are therefore constrained to address your Excellency by letter.

We remain, &c.

(Signed) T. SHELFORD.
A. L. DONALDSON.
S. LIANG SEAH.

Enclosure 2 in No. 40.

From Mr. T. C. BOGAARDT to the COLONIAL SECRETARY.

DEAR MR. TALBOT,

Singapore, December 27, 1894.

WITH reference to my letter of the 21st instant, I now beg to inform you that I can at the moment with great regret not accept the Governor's kind offer to renominate me a member of the Legislative Council. It is true that at the time when his Excellency intimated me verbally that it was his intention to re-offer me the seat, I was inclined, and in fact had as good as made up my mind, to accept it, but since we are (since then) in possession of the last Despatch of the Secretary of State and know how little chance there is for the Colony to get the advocated relief ^{and} _{or} reduction in the Military Contribution, I feel I will not be doing justice to the Colony nor to myself to remain longer in the Council, and it is this fact alone which has actuated me to respectfully decline his Excellency's offer.

I shall nevertheless remain grateful to his Excellency for the honour he has shown me.

Yours, &c.
(Signed) T. C. BOGAARDT.

Enclosure 3 in No. 40.

MR. HÜTTENBACH to the COLONIAL SECRETARY.

SIR,

Singapore, January 2, 1895.

I HAVE the honour to request you kindly to inform his Excellency that I beg to tender my resignation as member of the Legislative Council.

I do so with much regret, and my only object in doing so is to prevent the creation of ill-feeling and class hatred between the various sections of the community.

Nobody should, I take it, be a member of the Council unless prepared and able to speak and act at all times up to his conviction, regardless of consequence.

As far as I am personally concerned, this was and still is the case. Abuse or disadvantages, as far as they affect me personally, I do not mind in the least. But what I could not anticipate when accepting the honour of a seat in Council was that my doings or sayings might be used to spread hatred against classes, the most harmful thing that could happen in a small colony like this, and which could never be outweighed by any service I might otherwise be able to render.

It is not only the Military Contribution question which I have in view; the present time is pregnant with many other questions of importance to the Colony, and I must fear that my independent attitude on any of them will lead to the same result.

After mature and calm consideration of the case, I have decided to tender my resignation in order to assure the maintenance of good feeling between all sections of the community. I consider it, however, my duty in the present state of affairs, should his Excellency desire it, to retain my seat until the Government has made a selection as regards my successor.

Hon. A. P. Talbot,
Acting Colonial Secretary S.S.,
Singapore.

I have, &c.
(Signed) A. HÜTTENBACH.

No. 41.

SIR C. B. H. MITCHELL to the MARQUESS OF RIPON.

(Received February 9, 1895.)

[Answered by No. 43.]

MY LORD,

Government House, Singapore,
January 15, 1895.

WITH reference to the 5th paragraph of my Despatch of the 10th instant,* I have the honour to inform your Lordship that soon after my return to Singapore yesterday afternoon I had an interview with Mr. Hüttenbach, when he definitely withdrew his resignation of his seat in the Legislative Council.

2. Just before seeing him I received a letter, of which I forward a copy, addressed by him to the Colonial Secretary, enclosing a memorandum, dealing with the question of the Military Contribution after 1895, drawn up, as I think, in a thoughtful and calm spirit, and which I respectfully commend to your Lordship's favourable consideration.

3. I enclose a copy of the "Straits Times" of the 12th instant, which contains a report† of a public meeting which has been held during my absence, with the object of approving the action which had been previously taken by the Singapore members of Council, Justices of the Peace, and Chinese Advisory Board.

I have, &c.
(Signed) C. B. H. MITCHELL.

Enclosure 1 in No. 41.

Mr. HÜTTENBACH to COLONIAL SECRETARY.

DEAR SIR,

Singapore, January 14, 1895.

SINCE I wrote you on the 2nd instant, circumstances have changed considerably.

It now goes without saying that, if his Excellency thinks I can be of the least use, my services are in every respect entirely at his disposal, and that, if his Excellency wishes it, I am ready to withdraw my resignation.

I desire, however, before asking you to cancel my letter of 2nd instant, to avail of the opportunity and to lay my reasons for resignation personally before his Excellency.

2. Seeing that the Secretary of State asks for observations to guide him in fixing the Military Contribution after 1895, I have, while still a Member of Council, drawn up the memorandum enclosed, in the hope that it may be of some little service.

I shall thank you to lay it before his Excellency the Governor with the request—if his Excellency does not object to such a course—to forward it to his Lordship the Secretary of State.

I have, &c.

The Hon. A. P. Talbot,
Acting Colonial Secretary, Singapore.

(Signed) A. HÜTTENBACH.

MEMORANDUM.

The MILITARY CONTRIBUTION QUESTION in the STRAITS, after the Despatch of the SECRETARY OF STATE of 6th November 1894.

1. The Despatch has led to the resignation of practically all honorary appointments in Singapore.

There may be differences of opinion as to the necessity, the wisdom, or the usefulness of that step, or fault may be found with the organisation, the choice of time of the movement, and the like. But the fact is there, that the best men of the Colony, some of whom Her Majesty's Government has acknowledged to have done much service, see no other way to protest against, or to get redress for, what they consider unjust and unfair treatment by the Home Government.

2. The idea that Her Majesty's Ministers should intentionally wrong, or play with the existence of, a Colony for whose future they are responsible I consider altogether too ridiculous to be thought of for one moment. But I believe such an impression exists now very generally throughout the Settlements. It is said this is a case as of Rome exacting tribute from a conquered province, and that the tenor of the Despatch is a repetition of: "Rome has spoken: the matter is finished."

3. But a careful reading of the Despatch shows that the amount of 330,000*l.* for 1896/98 is only *provisionally* fixed: that is to say, is not yet fixed at all. That the amount is to be fixed in 1895 only, when a forecast of the future is possible, and that observations from the Colony are invited. That when fixed it is intended to be reasonable and clearly to be made dependent on the Colony being able to afford to pay it without incurring a deficit on the whole period. And a dissection of the views which led Her Majesty's Government to that decision leaves hopes that even this provisional decision rests on misconception of facts, and that calling attention to these misconceptions in a calm and moderate spirit will lead—and speedily lead—to the so desirable final settlement of the question satisfactory to all concerned.

4. Amongst the paragraphs in the Despatch which seem to show that the position of the Colony is not quite realised by Her Majesty's Government are the following:—

(a.) " . . . assuming that the conditions remain normal and that there is a continuation of that expansion in the dollar value of the trade, &c., &c. Her Majesty's Government entertain the hope that the charge above proposed will prove to be a reasonable one." (Para. 9 of Despatch.)*

(b.) " . . . to be borne by the people of this country (England), who are much more heavily taxed than the people of the Straits Settlements, and who are only able to devote to civil purposes about 36 per cent. of their revenue, as against 80 per cent. or more so available at the Straits Settlements." (Para. 14 of Despatch.)†

5. The dollar value of our trade does not affect our revenue. The dollar value of our trade increases as silver declines and sterling, as measured by dollars, gets dearer. The more silver declines the heavier a sterling contribution of 100,000*l.* will weigh on our

finances. Therefore, the more the dollar value of our trade increases, the greater the difficulty for the Colony to pay the sterling contribution as contemplated.

The quinquennial charge of 500,000*l.* cannot "prove to be reasonable" neither on the experience of the past nor on the basis of present facts.

For the past the Colony was only able to meet it by drawing largely from reserves, and because the average rate of exchange was still comparatively high.

At present exchange, and on the basis of 1895 estimates, a contribution of 100,000*l.* would mean, notwithstanding the increased taxation, very large deficit.

That would mean, since the reserves are now exhausted, that the Colony would have to get into debt, which would mean, "assuming that the conditions remain normal," that the Colony would get hopelessly involved, even without loans required for public works, which cannot be stopped for ever if the Colony is to go on. It will likewise soon become apparent that large outlays of money will ere long have to be incurred, both at Singapore and Penang, for works to keep transit charges lowest possible, so that these ports may remain cheap and useful entrepôts for British manufactures.

6. The people of this Colony are, in proportion to their wealth and income, much more heavily taxed than those of England.

A balance of 36 per cent. of revenue for civil purposes represents, in proportion, in the case of England vastly more than 80 per cent. in the Straits Settlements.

The one is a country in the highest state of civilisation, where everything exists already and where the care for further improvements is divided between Government, numerous local boards, and private enterprise, backed by unlimited capital and credit. Here the country is new, still to be opened up, and everything to be done as yet, requiring outlay of money.

The Government stands alone, and the mission of the Colony is so peculiar that it can only be fulfilled by attracting people and trade through absence of heavy taxation.

But even leaving these considerations out of the question, 36 per cent. would leave to England about 32,000,000*l.* for civil purposes, and 80 per cent. to the Straits, about 320,000*l.*, that is about 18*s.* per head in England and only 11*s.* per head in the Straits. Yet the people of the Straits, being largely ignorant Asiatics, require, so to speak, more governing, per head, than do the people of England. They have to be obliged, or induced, to do things that the people of England do as matter of course. This Colony, to go ahead and to properly open up trade, ought to be able to spend more on civil purposes than the United Kingdom; for our "civil charges" include a great many things that are not included in "civil charges" in England. But were we to spend in the same proportion only, our whole revenue would not be sufficient, and a subsidy would be required.

7. The belief is unfortunately more and more gaining ground that the Home Government does not mean to act fairly by this Colony. That they ask for amounts which it is impossible for the Colony to pay.

That they claim the right to increase the garrison to whatever they like, and that they proclaim that the Colony must ultimately pay the whole cost of such garrison, whatever it may be, without the Colony having any voice or say in fixing its strength.

That the Home Government desires no finality, no equitable system—which it would be so easy to fix—if there was the wish—but that they want to keep the question open and the Colony at their mercy. That it is not a case that the Colony should—as they are anxious to—pay as much as is reasonable, but that the Colony must pay as much as they—the Home Government—like from time to time to name.

That, instead of assisting us to keep our finances in order, to enable us to maintain the Colony's position and credit, the Home Government avoids a settlement, uses our obligation so that ruin is constantly staring us in the face, that we are kept in a perpetual state of uncertainty and suspense, and depending on the charity of the Home Government.

Mr. Shelford at a public meeting said (report of "Straits Times" 12th January 1895):—

"Now they hold us liable for the whole cost of the garrison, no matter for what purposes the troops are stationed here."

"The military are here because this is a coaling and naval station. And yet the Secretary of State insists upon charging us with the whole cost of a military garrison, without recognising, in the slightest degree, the Imperial interests. Over the constitution and cost of this garrison we have not the slightest control and in its management are permitted no voice."

"How then can the civil administration be kept within the \$3,000,000 named by the Secretary of State? You have but to refer to the expenditure of the last three

years. We can only do it by cutting down the maintenance vote to starvation point, by doing nothing for the development of the Colony, and by arresting the material welfare and progress of the people. What is this for? It is purposed to charge us with the cost of the military, irrespective of our wants and wishes."

8. All this the people in the Straits say has been fully and repeatedly pointed out, and can—if details are wanted—be conclusively proved, but no heed is taken and all we get as an answer from Her Majesty's Government to remonstrations, however well they may be substantiated, however respectfully they may be brought forward, is a plain and unqualified "*sic voleo sic jubeo*."

The Colony begins to believe—I hope I will be excused for speaking frankly—that they are to be sacrificed to Home politics. That each of the two great parties tries to please the voters by a favourable Budget, and that the Colony is to be squeezed to obtain this, regardless of justice and fairness:—

"To the arguments and expostulations of the Governor, and of the Executive and Legislative Councils, which have been put forward with patience and truth during the last five years, Her Majesty's Government has turned a deaf ear."

"This is the relief which the Despatch informs us is to be given to the Colony, and when the henchman of the Secretary of State says that the contribution is settled on a fair and equitable basis it becomes a mere travesty, a mere mockery of words, a pure misrepresentation of circumstances, and is misleading to the House of Commons. Gentlemen, the real question that is before us now is not a matter of per-centages, not how much the Colony can afford to pay, but how much they can take from us. Paragraph after paragraph in that Despatch is devoted to considering the balances which may be obtained from year to year. The cost of the civil administration is to be reduced to \$3,000,000; anything and everything above that is to be taken."

(From Mr. Shelford's speech—"Straits Times" report—11th January 1895, Town Hall.)

But it has at the same time been remarked, that the demands made by the Conservative Government, made at a time when our coffers were full, exchange high, the demand only a moderate proportion of our revenue and the prospects bright, may be called fair in comparison with that of the Liberal Government, now that circumstances have entirely changed, our reserves absorbed, exchange 2s. and the outlook for the future dark and gloomy and the per-centage excessive, while greater demands are made by the Liberal Government, in place of the relief, as promised by the Conservative Government.

9. It is thought that the latest Despatch of the Secretary of State brings it out more prominently than ever that the Colony, instead of being treated on equal terms with the rest of the Empire, anxious as it is to pay its reasonable and fair share towards the burden, is to be treated like an unfortunate debtor who has got into the power of a hard and inconsiderate creditor.

Mr. Shelford, speaking at the meeting already referred to, said (report of "Straits Times"):

"It may be the Secretary of State cares little about it, but the unjust appropriation of our funds undoubtedly must hamper and fetter the Government in the fulfilment of their duties to the native races. Hitherto they have regarded the Government of the Queen as the embodiment of fair and just treatment, a tribunal before whom every question would be impartially sifted and every grievance remedied. It is our privilege to uphold the fair name of England amongst a law-abiding and peaceful people, who, whatever happens, will continue law-abiding and peaceful. But can we continue to do so in connexion with the military question which cannot fail to check in a great degree the progress of the civil administration?"

"The day has arrived when heed must be paid to public opinion, when it must be heard and listened to in the Legislative Council, when Her Majesty's Government must cease to pursue the policy which, guided by no fixed principle, measures its exaction by the length of the Colony's purse."

"We do not seek for any grace at the hands of Her Majesty's Government. All we ask is for simple justice."

"The result of the review of the circumstances by the Home Government is that they will not abate one jot on their terms. Under these circumstances, gentlemen, it is impossible for us to fulfil the duties which we owe to the public as guardians of the public purse; it is impossible for us to fulfil our duty in matters of finance, threatened as they are at every point over which we have no control; nay further, it is impossible for us to fulfil the responsibility which we have assumed under oath, and that being so, I hold that it is equally impossible for us to continue to occupy the position of responsible public officers."

And Mr. Napier remarked at the same occasion :

"I repeat again that it appears to me that the salient point in the Despatch of Lord Ripon's is the subordination of the interests of the Colony to the Imperial Exchequer. We have tried all means in our power to get this wrong righted: we have had public meetings, we have had deputations to the Governor, and to the Secretary of State; and it has all been of no avail. Now the only course left is, I think, the action that has been taken by those gentlemen whose action we have come to approve to-day. The resignation has, it seems to me, been deliberately provoked by the Imperial Government.

"The Letters Patent, as was pointed out a few months ago, give the Legislative Council full power for the raising and the expenditure of public revenue as may be deemed advisable for the 'peace, good order, and good government of Our subjects within Our Settlements ' or within any territory which may at any time be part of or dependent on the same.' That is to say, the charter only authorises the revenue of the Colony to be applied for the good of the people in the Colony, and for the good of the people there. I say that the Legislative Council by its official votes, instigated by Downing Street, and in opposition to the unanimous vote, from time to time, of the unofficial members, has been diverting the money of the Colony in a manner which is alien to the Letters Patent. It appears to me that the appropriation of the revenue of the Colony, in total opposition to the wishes of the Colony, is contrary to every principle of the British constitution."

The Colonists thus begin to believe now that there is no more room for hope that this Colony will ever have again stability and a settled household in the future, and that a loyal Colony is treated worse than any conquered province. This has led to a feeling of utter despair. The desire to call, if possible, the attention of the British public has led to resignation, and feeling is now running very high indeed in the Colony.

10. But when feeling is very high, when passions are at fever heat, the niceties of the points at issue are often lost sight of. It may happen in the excitement—in fact, it would be a proof of the intensity of the excitement—that is overlooked, while disclaiming the wrong, to adequately reiterate what the wrong complained of actually consists of, and to forget—while asking for redress—to express clearly what is asked for and what would satisfy.

The present may, therefore, be an opportune time to calmly look around in order to suggest, if possible, some satisfactory solution of the difficulty.

11. Such a solution it seems is at hand by assessing the Contribution on a fixed per-centage of the actual gross revenue of the Colony of each preceding year. This system has been mooted by Mr. Shelford and supported by all unofficial members of Council. But the first public statement of it was only on 20th October last, and the proposal can therefore not have been considered by the Secretary of State as yet. Hopes are entertained that it may be acceptable to Her Majesty's Government, as it seems to offer everything, in fact more than the Home Government professes to ask for.

12. It seems evident that a per-centage contains all the elements of an equitable distribution. In fact the Home Government seems all along not to have contemplated anything else. In all despatches—as well those of Lord Knutsford as of Lord Ripon—profession is always made that the Colony is on no account to be called upon to pay more than it can afford. How can this be better arranged than by a per-centage? And constant reference is made in the despatches right through as to the per-centage the amount asked for is contemplated to bear in proportion to the revenue. And as long as silver is low and our revenue has not further expanded, the Colony could anyhow only pay a fraction of the 100,000*l.*, but need never pay more. The per-centage system, however, would in prosperous times and high exchange yield more than the sum asked, or the total cost of the garrison, and could at all times express all the Colony can pay.

13. A reasonable per-centage, such as it seems from the despatches has hitherto been contemplated (even if it were the same proportion as that of Hongkong, although the administration of this Colony, not being so compact, is necessarily more costly than that of Hongkong), would, it is believed, be found fair, just, and equitable by all in the Colony, and cheerfully assented to.

It would give finality and enable the Colony to make once more a budget. And the absence of finality has been the greatest cause of all the heartburning. Unless the Contribution be fixed in silver, or by a per-centage, there can never be anything approaching finality.

The same reasons prevail as in India before the closing of the mints. The per-centage system would do away with all arguing as to the terms of an agreement, cost of

garrison, and the distinction between troops stationed for local or Imperial purposes. It would settle the question on a broad basis and for good, which is so desirable in every respect.

14. The Secretary of State himself one should think to be imbued by the same desire. Apart from the trouble, the long standing dispute must give—the manner the contribution has in the past been drawn from the Colony could easily give—rise to nice questions of constitutional law, which in themselves may become troublesome. The Colony to one man has never consented to pay 100,000*l.* a year. Formal protests have each time been lodged by all unofficial members of Council. The officials had to vote under instructions. But it is apparent from the despatches of the late Governor, and the memoranda by nearly all members of the Executive Council, that with a free hand they would not have voted the sums taken . . . And whether under these circumstances the whole question is not still constitutionally a quite open one is, to say the least, a question of great doubt. In this case the Secretary of State disburses the Colony's money against the practically unanimous wish of Government and Colony alike. And yet the Government stated in the House of Commons in a debate on India but a few months ago: "That it was not true that the Secretary of State could by a mere stroke of the pen spend as much money as he liked."

15. In addition it may be pointed out that the Liberal Government has brought about, and through a deliberate action of its own—the closing of the Indian mints—the depreciation of silver, which traces the course of the impossibility to bear the burden to the Home Government.

If it is further taken into consideration that the sanctioning by the Liberal Government of a more recent date of the British dollar—in the face, it is believed, of the wishes of the Colonial Government to the contrary—which his Lordship shows himself in his Despatch of the 27th October, is bound to lead likewise to lower exchange, and thus to a further increase of the burden is equally caused by the Home Government, it may well be hoped that a proposal to base the contribution on a per-centage of the revenue may lead to results, be it for reasons of equity, general policy, or even—generosity.

CONCLUSION.

16. I hope I may, in conclusion, be allowed to make a forecast, by trying to penetrate how the future is likely to shape itself if the demand for 100,000*l.* is insisted on.

Our revenue is about \$4,000,000. The minimum required for civil charges at exchange of 2*s.* 3*d.* is over \$3,000,000; but now that exchange is 2*s.* and with exchange compensations and extras (which will always spring up) about \$3,300,000. Every decline of silver will add to this amount, leaving the Colony with a balance of maximum \$700,000 for Military Contribution, the unforeseen or public works, which latter cannot cease for ever.

17. 100,000*l.* at to-day's exchange will mean, without building barracks, \$1,000,000. Where are the million dollars to come from? The finances of the Colony are now, that is certain, approaching a crisis. There are no more reserves to draw from and the budget does not balance. Money would have to be found by loan annually. Would Her Majesty's Government use the machinery of the official vote to force the Colony into such loans? It is almost useless to ask that question, because the moment it becomes known amongst investors as a certainty that the Colony would be forced to pay 100,000*l.* annually the Colony would not be able to borrow. Investors would not take long to see that in a short time the Colony must stand in bankruptcy. The Colony would have no Credit. The idea of making the Colony pay through raising loans would therefore have to be abandoned.

18. To raise the rate of exchange is beyond the power of Her Majesty's Government, and Lord Ripon has vetoed, in his Despatch of 27th October, the aspirations of the Colony to a fixed currency, so that this issue, which was opened to India under less distress, is likewise closed to the Colony through the action of the Liberal Government.

19. Can the civil charges be further reduced? The recommendations of the Retrenchment Committee—it is considered—have already gone too far in that direction. It is hardly possible to go further, unless it is to weaken efficiency, ultimately leading to a decline in revenue, thus increased inability to pay.

On the contrary. The demands of the subaltern service, as far as they are just, for increase of salaries in lieu of exchange compensation have to be taken into consideration. The civil charges will, therefore, have to be further increased in the near future.

20. There remains increased taxation. Fresh taxation also could only be had, if contemplated to any extent, by forcing it through Council by the official vote. That would lead to the greatest dissatisfaction and—almost for certain—to great trouble. The revenue we have now rests on free trade, and the lower the taxation the more that trade will prosper, and the more our revenue will expand. Heavy taxation would lead to the collapse of the Colony, the cessation of all revenue, and in the end the Colony would not be able to contribute anything at all. The whole of the military charges would then fall on the British taxpayer. It should not be lost sight of that the revenue raised in the Straits is already now about Rs. 14 per head as against Rs. 3 per head in India. Further taxation of any consequence would be suicidal in any respect.

21. "Assuming that the conditions remain normal," it seems therefore that the Colony cannot in the future meet the demand even of 100,000%.

The results, it seems, as far as hard cash is concerned, will be the same whether an equitable basis is fixed, thereby closing the question, or whether the demand is insisted on.

The only difference seems to be this:—

22. If the per-centage system or other practicable basis is allowed to the Colony by Her Majesty's Government, content will return, and the Colony will settle down again to steadiness and harmonious working. Being able to gauge the amounts available for civil purposes, the Colony will, by a wise and cautious husbanding of the same, be able to proceed in the path of progress, thereby paving the way for the possibility of the future contribution being even larger than the amount now demanded.

23. If, on the other hand, the demand of 100,000% and more is persisted in, it will remain hanging over our heads and will create a feeling of hopelessness, paralysing all energies.

Nobody will believe any more in the future of the Colony. Agitators will follow in the wake of the present protestors, with what results it is impossible to say.

The finances of the Colony will be crippled through the very uncertainty of the position. The credit of the Colony will be gone. Goods of foreign manufacture, distributed by competing Colonies, favoured by our mistakes and self-made handicap, will be supplied to neighbouring countries. The downward course will commence to the detriment of the Colony, of the British taxpayer, and of British trade.

(Signed) A. HÜTTENBACH,
Member Legislative Council,
Straits Settlements.

Singapore, 14th January 1895.

No. 42.

THE STRAITS SETTLEMENTS ASSOCIATION to COLONIAL OFFICE.
(Received March 4, 1895.)

Straits Settlements Association,
1, Whittington Avenue, London, E.C.,

MY LORD MARQUESS, March 2, 1895.

I HAVE the honour to forward herewith, for your Lordship's information, a copy of a memorandum on the Military Contribution of the Straits Settlements which is being forwarded by this Association to the various Members of both Houses of Parliament.

I have, &c.

WM. ADAMSON,
Chairman, Straits Settlements Association.

Enclosure in No. 42.

MEMORANDUM on the MILITARY CONTRIBUTION claimed by the IMPERIAL GOVERNMENT.

THIS question has been under discussion since 1890, when Her Majesty's Government suddenly raised the annual charge to be borne by the Colony from 50,145 $\frac{1}{2}$., at which it had stood since 1866, to 100,000 $\frac{1}{2}$.. A further claim was made for a large prospective expenditure on new barracks, and for the cost of all lands that might be required for military purposes. The Colony had already spent over 80,000 $\frac{1}{2}$.. on fortifications, the Imperial Government providing the armament.

2. The Imperial Government also intimated that they reserved to themselves the right to call upon the Colony for the whole cost of the military establishment—whether incurred for local or for Imperial purposes—now stated to be 144,000*l.* per annum.

3. The Colony, through its representatives in the Council, and in public meetings, immediately protested against these demands, as being neither equitable nor reasonable, and heavier than the Colony could bear. The Governor in strongly-worded despatches represented the unfairness and impolicy of enforcing the claims.

4. Her Majesty's Government, however, insisted on their views being carried out, and payment was enforced by the votes of the official members, acting under orders, and, as is well known, against their own convictions.

5. Representations were then made to both Houses of Parliament by petitions from the inhabitants of Singapore and Penang, and on the 25th June 1891 Mr. Goschen, the then Chancellor of the Exchequer, from his place in the House of Commons, gave an undertaking "that if the revenues of the Colony should decrease, so that they were "less able to bear this contribution than they now are, the Government would feel "inclined to review the situation," an undertaking confirmed by Lord Knutsford in his despatch to the Governor of 5th August 1891.

6. At the end of 1891 there was a deficit of revenue of \$772,375, and again in 1892 of \$627,297, the Reserves, amounting to \$1,364,000, built up for meeting "emergencies "which might arise in the future owing to bad seasons, depression of trade, or other "calamity," had been swept into the Military chest, and it became evident that the financial position of the Colony was most serious. Fresh representations were made to the Home Government, and in particular on 15th May 1893, by a deputation of the Straits Settlements Association to the Secretary of State for the Colonies. Lord Ripon promised that he would lay the case fairly and fully before his colleagues, and added that three departments were interested in the question, the Colonial Office, the War Office, and the Treasury.

7. The Colony waited patiently for the decision of Her Majesty's Government, which was not made known in Singapore till January of the present year, by the publication of a despatch from Lord Ripon to the Governor of the Straits Settlements, dated 6th November 1894. His Lordship intimated that it had been decided that the Colony would be charged as follows:—

	£
For 1894	70,000
" 1895	80,000
" 1896	100,000
" 1897	110,000
" 1898	120,000

} provisionally.

The intimation that the charges in 1896-7-8 are provisional, and may be reconsidered, appears valueless in face of the hope expressed that "by a steady application of the "principles of economy recently formulated by the Retrenchment Committee, the "necessary civil charges may be kept down to something like \$3,000,000 a year. It "seems, therefore, not too much to hope that the Colony may be able to provide for the "Military Contribution and all civil charges without incurring a deficit in the "quinquennial period, and that there will even be a balance on the period as a whole, "which balance together with what remains of existing Colonial balances the Colony "may be able to devote to some extent to the construction of new barracks."

While admitting that "in accordance with the undertaking given by Mr. Goschen in "1891, Her Majesty's Government were bound to reconsider the question," Lord Ripon states that this undertaking "must not be taken as applying further than to the "immediate future."

The following contrast may be noted between the state of the Colony's finances when Mr. Goschen gave his undertaking and the present position, with the charges actual and prospective.

	Revenue.	Military Charge.
	\$	\$
1890	4,269,000	650,000
1895	4,000,000	800,000
1896	} Expected small increase on 1895	1,000,000
1897		1,110,000
1898		1,200,000

The rate of exchange is here taken for the present and following years at its present level of about two shillings per dollar, and it is to be noted that in contrasting the revenue of 1890 and 1895, the latter has been increased by fresh taxation caused by the military claims.

The despatch concludes by stating that Her Majesty's Government reserve all rights claimed by them in former despatches on behalf of the Home Government, should a fuller assertion of them appear reasonable on or after 1899.

In other words, the relief to the Colony consists in a deferred payment of 10,000*l.* and 20,000*l.* till 1897-8, and an intimation that all the disputed principles and claims are upheld.

8. The publication of Lord Ripon's despatch in the Colony at once gave rise to fresh agitation. It was felt that no practical relief had been given—that the undertaking of Mr. Goschen had been whittled down to a shabby arrangement for a postponed payment for two or three years of the full amount, and that Her Majesty's Government, while indulging in guarded hints that something might be done in some conceivable set of circumstances, had declared their intention of more fully asserting all their claims, should they deem this course desirable at some future time.

9. This was followed by the resignation of the three best-known non-official members of the Council, and by the refusal of a fourth to be re-nominated, by the resignation at Singapore of all the unofficial Justices of the Peace, and by the members of the Chinese Advisory Board, as a protest against the decision of the Home Government. In their letter of resignation, of date 4th January last, the members of the Legislative Council state that:—“The Revenue in meeting these (Military) charges is unable to provide needed public works, more especially in the Northern Settlement, for increased facilities to trade or in the social and educational progress of the native classes, who are entirely dependent upon the initiative of the Government. In view of all these circumstances, we are unable to perceive that any ‘sensible relief’ has been afforded to the finances of the Colony, or to acknowledge that Her Majesty's Government have treated the question with fairness and equity. . . . Year after year the Legislative Council is compelled to pass Estimates which we know are insufficient to meet the wants of the Colony, and to vote sums of money for military purposes which are greatly in excess of what the Colony can afford to pay. The determination of Her Majesty's Government, as revealed by the despatch, to pay no heed to our protests, nor to lay down any principle of finality, obliges us to disclaim any further responsibility for the finances over which the Council is not permitted control, and which are threatened with further inordinate exactions.”

10. On the 11th January last a crowded public meeting of the inhabitants of Singapore was held, when the resignations above named were heartily approved of, and the action of the Home Government condemned.

Mr. Thomas Shelford, C.M.G., a Member of Council of many years standing, and a man much respected by the community, stated in the course of his speech that “All we ask for is simple justice. We are quite willing to pay for the cost of our own trade; we are willing in conjunction with other Colonies to pay a just apportionment of our Imperial obligations, but we protest, as a gross injustice, against being called upon to pay for the protection of what is practically wholly and entirely the British commerce and trade which passes through these waters to other ports.”

11. The following list of Colonies with their garrisons, and of the sums contributed by each respectively, may advantageously be here given:—

	Men.	Contribution.
		£
Straits Settlements	1,558	100,000
Hong Kong	2,996	40,000
Ceylon	1,659	81,750
Mauritius	875	18,750
South Africa and Natal . . .	3,331	4,000
West Africa	1,163	Nil.
Jamaica and West Indies generally-	4,288	Nil.

and in the case of the Straits Settlements there must be added the cost of new barracks, and all lands required for military purposes. There is the further prospective claim to be repaid the whole cost of the military establishment at present amounting to 144,000*l.* per annum, and which may be increased should the Imperial Government consider any increase of the garrison desirable.

12. The glaring inequality of the claims made on the Straits Settlements is held by the Imperial Government to be justified by an engagement made for the Colony in 1866, when it was taken over from the Government of India by the Colonial Office, under which it was agreed that Her Majesty's Government should not be called upon to defray any part of the cost of the Civil or Military Government of the new Colony.

This agreement, however, had reference only to the force necessary for local protection. The opening of the Suez Canal changed the whole character of our Ocean traffic, and Singapore was from this date not only an important commercial centre but became an important naval centre for Her Majesty's ships, and for the coal supply of the great through traffic from England to the far East. The fortifications and the increased garrison were the result of a general policy for the defence of the foreign coaling stations on Imperial grounds and for Imperial needs.

It is also to be noted that the fortifications at Singapore are concentrated on the coal depôt at New Harbour, and that no defences whatever exist at Penang or Malacca. The small detachment of troops now in Penang would be withdrawn in case of war.

But the claim that the Colony is bound by the Agreement of 1866 is effectually disposed of in a despatch from the Colonial Office to the War Office, dated 4th May 1888, which states "that in the opinion of Lord Knutsford the arrangements made between the Imperial and Indian Governments in 1866, and the agreement with the Colony in 1871, related to settlements which then had little, if any, importance beyond that derived from local trade. The wonderful change which followed the opening of the Suez Canal was not foreseen, and apparently not realised in 1871. . . . It appears to his Lordship, that in placing a meaning upon the above-mentioned arrangement, regard must be had to circumstances as they existed at the time; and that an agreement relating to the defence of a local port of trade cannot possibly be read as a promise to provide for a coaling station which subsequent and unforeseen events, independent of the local trade, have called into existence for supplying the wants of the Empire."

Yet, in spite of this clear expression of opinion by the Colonial Office, Lord Ripon, in his despatch to the Governor of 6th November 1894, re-affirms the principle that the old Agreement of 1866 covers the present claims!

13. In his despatch of 13th December 1889 (Blue Book C. 6290), to the Governor of the Straits Settlements, Lord Knutsford defends the charge of 100,000*l.* per annum on the ground that it will only amount to 17 per cent. of the revenue, or about 3*s.* 9*d.* per head of the population of the Colony; and his Lordship contrasts this with the taxation in the mother country, which he states at 8*s.* 9*d.* per head of the population, and if the Naval charges be added, the payment reaches 15*s.* 9*d.* per head. But this comparison is entirely misleading unless there be also taken into account the respective means of the two populations. An English workman may fairly be credited with earning 62*l.* per annum, while the bulk of the population of the Straits Settlements does not earn over 12*l.* per annum, so that, even on the above footing, the *relative* charge on the Colonist of the Straits Settlements is greater than that on our own people in the mother country.

14. It is submitted that the Colony has a right to expect that it shall not be subjected to exceptional treatment in comparison with other Crown Colonies, and that the present system under which the claims of the Imperial Government are levied on the simple principle of taking from the Colony all surplus revenue beyond that which a "Retrenchment Committee" has forced down to the barest necessities shall be abandoned. It is maintained that it is absolutely necessary for its welfare that the contribution to be paid for military services shall be moderate and reasonable; that it shall be a fixed charge, and not as in the present case a charge settled for a quinquennial period when one year has expired and a second year has been entered upon, it being impossible to secure any stability in the public finances or to project and carry forward any important works under such a dilatory and hand-to-mouth system of finance.

15. It is contended on behalf of the Colony that the most satisfactory arrangement would be the payment of a fixed percentage of the revenue in full for all military charges, land, barracks, &c., but in no case to exceed their total cost. And it is believed that the Colony would be willing to pay the per-centage which Lord Knutsford, in his despatch to the Governor of 13th December 1889, put forward as not being "excessive"—viz., 17 per cent.

16. It is further contended, and this is not the least important part of its case, that the Colonial Office, being the trustee for the Colony, has no right to take, for the purposes of the Imperial Government, the revenues of the Colony against the protests of its non-official representatives in Council. The Charter of the Colony gives to the Legislative Council "full power and authority for the raising and expenditure of the

"public revenue," and it is contended that in this connexion the rights of the Colony have been invaded. It follows that if at any time additional taxation is considered necessary, such taxation should not be imposed by orders from Downing Street, but only with the assent of the representatives of the Colony in the Legislative Council.

17. The Colony having done its utmost by representations in the Legislative Council, by petition, by deputations and remonstrances to the Colonial Office, without having received any permanent relief, appeals again to the Commons House of Parliament for redress and justice.

WM. ADAMSON,

Chairman, Straits Settlements Association.

1, Whittington Avenue, London, E.C.,

February 24, 1895.

No. 43.

THE MARQUESS OF RIPON to SIR C. B. H. MITCHELL.

SIR, Downing Street, June 28, 1895.

1. I HAVE the honour to inform you that Her Majesty's Government have had under their consideration your Despatches of 29th December and 15th of January last,* and their enclosures, on the subject of the contribution payable by the Straits Settlements on account of its military defence, with a view to arriving at a solution of the question which will be reasonably satisfactory to the Colonial and Imperial authorities.

2. The conditions under which the Colony was transferred from Indian to Imperial control, which have been dwelt upon in previous Despatches, addressed to you by my predecessor and by myself, need not, in the present aspect of the case, be further discussed.

3. It is perfectly true, as has been frequently urged by the Colony, that the opening of the Suez Canal has materially changed the position of the Colony in its general relations to the Empire. The Straits Settlements have undoubtedly grown enormously in importance since that event; but it must not be forgotten that the circumstances which enhanced the importance of that Colony have also had a beneficial effect on its trade and its revenues, and have rendered additional defences essential to its secure enjoyment of those advantages. Its increasing wealth has kept step with its increasing importance, and, so long as its defence charges do not impose a greater burden on its revenues than that which it bore at the time of its transfer, Her Majesty's Government cannot admit that the arrangement made in 1866 has been unfairly strained to the disadvantage of the Colony. In 1866 the defence charges of the Colony absorbed 27 per cent. of its revenue. In no year since that date has the cost to the Colony of its garrison nearly approached that charge; and the average charge from the date of transfer to the present time has amounted to only 11·81 per cent. of the Colonial revenue. Owing, however, to the depreciation of silver, the charges in currency have increased largely within the past four years, and have finally in 1894 reached nearly 20 per cent. of the revenues of the Colony.

4. In order to avoid these fluctuations in the Colonial military charges, Her Majesty's Government, after careful consideration, have arrived at the conclusion that the proposals made in your Despatch of 29th December last,† and in Mr. Huttenbach's memorandum which was enclosed in your Despatch of the 15th of January,‡ that the military contribution should be a per-centage of the revenue of the Colony, offer a basis of settlement which is the most likely to be acceptable to all parties, and which can be adopted with advantage to the Colony and without an undue sacrifice of the claims of the taxpayers of this country.

5. Throughout the correspondence which has passed since 1889, Her Majesty's Government, although adhering to the principle that the contribution, whatever its amount, should be fixed for the time being in sterling, have never lost sight of the fact that it could not, consistently with the efficient administration of civil affairs, exceed a certain per-centage of revenue, and that, if at any time, through a diminution of receipts or a fall in the exchange value of silver, the per-centage assumed undue proportions, then a case for the revision of a sterling demand would arise. But, as a matter of fact, during the six years 1889-94, the average per-centage of the total military expenditure of the

* Nos. 38 and 41.

† No. 38.

‡ No. 41.

Colony (which included other items besides the contribution), barely exceeded what the Home Government in 1889 considered reasonable.

6. It was the renewed heavy and sudden fall in silver towards the close of that period which rendered necessary a revision of the sterling contribution; and what was thought to be adequate relief for the years 1894 and 1895 was given by my Despatch of 6th November last,* parts of which do not appear to have been clearly understood in the Colony. It does not appear to have been generally perceived that the higher rates of contribution mentioned as provisionally claimable for the years 1896-8 were based on the contingency of a considerable increase of revenue during those years, and on the assumption that the Colonial currency would not further depreciate. The only object of mentioning the higher rates was to safeguard the right of the Home Government, should it prove that the relief granted for the years 1894-5 had after all been in excess of the equitable requirements of the case.

7. As regards the current year, it now appears that the forecast made by Her Majesty's Government was over sanguine, for the proposed contribution of 90,000*l.* would, with the dollar worth only 2*s.*, probably exceed 22 per cent. of the revenue. The expedient of fixing a proportion of revenue as the amount of the contribution will in the future prevent inconvenience to the Colony from the fluctuations in the value of its currency, and will, though at considerable present sacrifice to the Exchequer, safeguard the ultimate rights of the Home Government nearly as effectually as the expedient of provisionally fixing the amount in sterling for some years ahead, which was that adopted in my Despatch of 6th November 1894.* In adopting the course you have recommended, Her Majesty's Government have been largely influenced by the consideration that, so long as the contribution is fixed in sterling, the continued uncertainty in the matter of exchange is calculated to cause a greater dislocation in the finances of the Colony than would be caused to the Imperial finances if the contribution were fixed in dollars.

8. In your Despatch of the 29th of December last,† you suggested 20 per cent. of the revenue as the outside limit of expenditure on defence (including the building of barracks, &c.), which the Straits Settlements might reasonably be expected to meet; but Her Majesty's Government prefer to accept a lower per-centage for the military contribution, the Colony continuing to provide, as it has always done, any capital expenditure required for lands and buildings, as well as the charges for lodgings in lieu of barracks. The exact amount which Her Majesty's Government consider fair for the contribution itself is $17\frac{1}{2}$ per cent. of the revenue, with the proviso that the sum paid shall in no year exceed the total cost of the garrison for that year. I need not trouble you with the more or less technical reasons which have led the Home Government to prefer the arrangement above indicated to that proposed by you; but I may say that, in my opinion, it will be found in the long run to be the preferable one from the Colonial point of view.

9. It is to be understood that the revenue on which this per-centage will be taken shall include the gross receipts from all sources which are now brought into account as revenue, with one exception viz.: the proceeds of land sales, and premia on leases, which are not strictly revenue, but the proceeds of the sale of capital assets. The revenue for 1895, less premia on leases, &c., is estimated at \$3,934,521, so that a contribution of $17\frac{1}{2}$ per cent. would amount to \$688,541, and I have now to authorise you to limit the payments for the year to that amount in lieu of the maximum amount (\$830,770) provided in the Appropriation Ordinance.

10. When the actual revenue of 1895 is known, should it be found that there was an excess of receipts over the estimate, a further payment of $17\frac{1}{2}$ per cent. of such excess will have to be made. If, on the other hand, the revenue should have fallen short of the estimate, the over-payment will have to be adjusted by deducting $17\frac{1}{2}$ per cent. of the deficit from the first instalment of next year's contribution. A similar course will be followed in each succeeding year.

11. It would probably be agreeable to all parties if a permanent Ordinance were passed appropriating a per-centage of $17\frac{1}{2}$ per cent. of the Colonial Revenues to the use of the Imperial Government, as a military contribution, thus removing what has been a much vexed question from the arena of annual debate.

I have, &c.
RIPON.



